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Author and Title

Louisiana. Laws, statutes, etc.
Acts of the legislature.

Call Number	Volume	Copy
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Louisiana. Laws, statutes, etc.
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vol
1886

THE SUNDAY LAW.

Interesting Information Brought Out by
Superintendent Adams.

Yesterday Superintendent Adams asked the following questions, which were answered by District Attorney Adams, relative to the Sunday law, and the information was forwarded to the various lieutenants and sergeants commanding stations:

Question—Are druggists allowed to sell cigars and tobacco on Sunday?

Answer—No; nor anything except drugs, medicine and soda water.

Q.—Can cigars and tobacco be sold at the Lake resorts on Sunday, in connection with restaurants, soda water and cake stands and shops?

A.—Restaurant keepers can furnish customers at meals with cigars, but are not permitted to sell tobacco in any other manner. Soda water and cake stands can not sell tobacco or cigars.

Q.—Are keepers of oyster saloons allowed to sell oysters, or cigars or tobacco on Sunday?

A.—No; oyster saloons are not exempt from the operation of the law. No one can sell oysters except under a hotel or restaurant license.

Q.—Can barrooms in the city proper, having in connection with said bars billiard, pool and pigeon-hole tables and ten-pin alleys, be allowed to remain open for the purpose of permitting such games, provided no intoxicating liquors are disposed of on Sunday?

A.—Persons holding licenses for billiard and such halls can open if the bar is partitioned off, but no refreshments can be served unless sold under some license covering the commodities sold.

Confectioners are not exempt from the operation of the law. They can only sell soda water, except such as have restaurant license, who can sell eatables served in the restaurant department.

You will have a list made of those selling anything other than meats, fish, game, vegetables and fruit in the markets, including the Bazaar Market, and forward the same to this office.

LUCIEN ADAMS, Supt.

Louisiana. Laws, Statutes, etc.

ACTS

PASSED BY

The General Assembly

OF THE

STATE OF LOUISIANA.

AT THE

REGULAR SESSION,

Begun and held at the city of Baton Rouge, on the tenth day of
May, A. D. 1886.

PUBLISHED BY AUTHORITY.

BATON ROUGE:
PRINTED BY LEON JASTREMSKI, STATE PRINTER.
1886.

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STATE OFFICERS.

SAMUEL DOUGLAS McENERY Governor
CLAY KNOBLOCH Lieutenant Governor
OSCAR ARROYO Secretary of State
MILTON J. CUNNINGHAM Attorney General
OLLIE BRICE STEELE Auditor Of Public Accounts
EDWARD AUSTIN BURKE State Treasurer
WARREN EASTON Superintendent of Public Education

SUPREME COURT.

EDWARD BERMUDEZ Chief Justice
FELIX P. POCHÉ Associate Justice
ROBERT B. TODD Associate Justice
LYNN BOYD WATKINS Associate Justice
CHARLES E. FENNER Associate Justice
GEORGE W. DUPRÉ Clerk at New Orleans
E. SUMPTER TAYLOR Clerk at Opelousas
PETER J. TREZEVANT Clerk at Shreveport
ROBERT J. WILLSON Clerk at Monroe
HENRY DENIS Reporter

CIRCUIT COURT OF APPEALS.

First Circuit J. C. MONCURE Judge
First Circuit A. B. GEORGE Judge
Second Circuit ANDREW A. GUNBY Judge
Second Circuit THOMAS P. CLINTON Judge
Third Circuit JOSEPH M. MOORE Judge
Third Circuit JOHN CLEGG Judge
Fourth Circuit CHARLES McVEA Judge
Fourth Circuit SAMUEL J. POWELL Judge
Fifth Circuit E. W. BLAKE Judge
Fifth Circuit HENRY D. SMITH Judge
Parish of Orleans .. FRANK McGLOIN Judge
Parish of Orleans .. HENRY B. KELLY Judge

DISTRICT COURTS.

DISTRICTS.	JUDGES.	DISTRICT ATTORNEYS.	POST OFFICES.
First District.....	{ S. L. Taylor..... }	M. S. Crain.....	Shreveport.
Second District.....	{ A. W. O. Hicks..... }		Minden.
	{ R. C. Drew..... }	J. A. Lowry.....	Bellevue.
Third District.....	John Young.....	Enos H. McClendon.....	Homer.
Fourth District.....	R. D. Bridger.....	George Wear.....	Homer.
Fifth District.....	R. W. Richardson.....	F. G. Hudson.....	Columbia.
Sixth District.....	George H. Ellis.....	Samuel T. Baird.....	Columbia.
Seventh District.....	C. J. Ellis.....	L. A. Thompson.....	Monroe.
Eighth District.....	E. J. Deloney.....	Joseph E. Ransdell.....	Bastrop.
Ninth District.....	S. Charles Young.....	Hugh Tullis.....	Bastrop.
Tenth District.....	Wm. Pike Hall.....	John C. Pugh.....	Winnabourgh.
Eleventh District.....	David Pierson.....	D. C. Scarborough.....	Winnabourgh.
Twelfth District.....	{ W. F. Blackman..... }		Lake Providence.
	{ Thomas Overton..... }	John C. Wickliffe.....	Lake Providence.
			St. Joseph.
			St. Joseph.
			Mansfield.
			Mansfield.
			Natchitoches.
			Natchitoches.
			Alexandria.
			Marksville.
			Colfax.

Thirteenth District.....	George W. Hudspeth.....	John N. Ogden	Opelousas.
Fourteenth District.....	S. D. Read.....	A. J. Kearney	Opelousas.
Fifteenth District.....	John Yost.....	Joseph L. Golsen	Lake Charles.
Sixteenth District.....	W. Fergus Kernan.....	Charles E. Lea	Lake Charles.
Seventeenth District.....	John W. Burgess.....	Lindsey D. Beale.....	New Roads.
Eighteenth District.....	J. M. Thompson.....	Stephen D. Ellis.....	Bayou Sara.
Nineteenth District.....	A. C. Allen.....	William K. Wilson	Clinton.
Twentieth District.....	Taylor Beatty.....	E. A. O'Sullivan	Greensburg.
	Arthur Knobloch	Charles Homere Mouton.....	Baton Rouge.
Twelfth-first District.....	Fred. L. Gates	J. L. Gaudet.....	Baton Rouge.
Twenty-second District.....	Henry L. Duffel.....	Alexander Hébert	Covington.
Twenty-third District.....	Edward B. Falbot.....	James Wilkinson	Amite City.
Twenty-fourth District.....	Albert E. Livaudais.....	Robert Cade Smedes	Franklin.
Twenty-fifth District.....	Conrad DeBaillon.....	Gervais Lèche	Napoleonville.
Twenty-sixth District.....	Emile Rost	P. H. Toler	Thibodaux.
Twenty-seventh District.....	R. P. Williams.....		Thibodaux.
			New Iberia.
			St. Martinsville.
			Donaldsonville.
			Welcome.
			Plaquemine.
			Plaquemine.
			Pointe-a-la-Hache.
			10 Conti street, N. O.
			Lafayette.
			Abbeville.
			Kenner.
			Edgard.
			Rayville.

DISTRICT COURTS—Continued.

DISTRICTS.	JUDGES.	DISTRICT ATTORNEYS.	POST OFFICES.
Judges Civil Dist. Court. {	A. L. Tissot.....	{	New Orleans.
	W. T. Houston.....		
	Francis A. Monroe.....		
	Nicholas H. Rightor.....		
	Henry L. Lazarus.....	{	New Orleans.
Judges Crim. Dist. Court. {	Alfred Roman.....		
	Joshua G. Baker.....		
		Lionel Adams.....	New Orleans.
		Albert D. Henriques, Assistant }	

THE LEGISLATURE.

THE SENATE.

DISTRICT.	NAMES.	P. O. ADDRESS.
First.....	Albert Estopinal.....	St. Bernard.
First.....	E. F. Guichard.....	306 Clouet street, New Orleans.
Second.....	Anatole A. Ker.....	6 Carondelet street, New Orleans.
Second.....	Lawrence O'Donnell.....	29 Commercial Place, New Orleans.
Third.....	George H. Braughn.....	81 St. Charles street, New Orleans.
Fourth.....	Robert C. Davey.....	1st Recorder's Court, New Orleans.
Fifth.....	Simeon Toby.....	114 Gravier street, New Orleans.
Sixth.....	Gustave A. Breaux.....	5 Carondelet street, New Orleans.
Sixth.....	Samuel S. Carlisle.....	80 Camp street, New Orleans.
Seventh.....	Henry Demas.....	Edgard.
Eighth.....	Richard Simms.....	Convent.
Ninth.....	Mayer Cahen.....	Donaldsonville.
Ninth.....	Jordan Stewart.....	Houma.
Tenth.....	Murphy J. Foster.....	Franklin.
Tenth.....	Charles P. Hampton.....	Edgerly.
Eleventh.....	Charles D. Caffrey.....	Lafayette.
Twelfth.....	M. D. Kavanaugh.....	Washington.
Twelfth.....	E. T. Lewis.....	Opeousas.
Thirteenth.....	E. J. Joffrion.....	Marksville.
Fourteenth.....	Allen Jume!.....	St. Gabriel.
Fifteenth.....	Thomas C. Jones.....	Jackson.
Sixteenth.....	John D. Fisher.....	Baton Rouge.
Seventeenth.....	Milton A. -trickland.....	Greensburg.
Eighteenth.....	E. E. Smart.....	Leesville.
Nineteenth.....	E. W. Sutherlin.....	Mansfield.
Ninete nth.....	J. Fisher Smith.....	Many.
Twenteth.....	William Robson.....	Robson.
Twenty first.....	James Buie.....	Arcadia.
Twenty first.....	William W. Vance.....	Bellevue.
Twenty-second.....	G. L. Gaskins.....	Vienna.
Twenty-second.....	Eliaba T' Sellers.....	Walnut Lane.
Twenty-third.....	John S. Boatner.....	Monroe.
Twenty-third.....	E. C. Montgomery.....	Rayville.
Twenty-fourth.....	George A. Kelly.....	Winnfield.
Twenty-fifth.....	George W. Montgomery.....	Tallulah.
Twenty sixth.....	C. C. Cordill.....	St. Joseph.

HON. CLAY KNOBLOCH, Lieutenant Governor and President of the Senate.

HON. ROBERT C. DAVEY, President pro tem.

WILL. A. STRONG, Secretary.

JAMES B. KIRKMAN, Sergeant-at-Arms.

THE LEGISLATURE.

HOUSE OF REPRESENTATIVES.

PARISHES.	NAMES.	POST OFFICES.
Ascension	Joseph L. Brent.....	New River.
Assumption	H. R. Ewell.....	Paincourtville.
Assumption	Bivian Gardner.....	Albemarle.
Avoyelles	J. P. Harmanson.....	Simm-port.
Avoyelles	D. P. Hudson.....	Eola.
Bienville	J. P. Webb.....	Sparta.
Bossier	H. W. Ogden.....	Benton.
Caddo	C. J. Foster.....	Shreveport.
Caddo	E. H. Randolph.....	Shreveport.
Calcasieu	S. O. Shattuck.....	Pearl.
Caldwell	S. H. Gilbert.....	Columbia.
Cameron	S. P. Henry.....	Cameron.
Catahoula	T. E. Pritchard.....	Jena.
Claiborne	W. J. Leslie.....	Homerville.
Claiborne	Thomas Price.....	Lamarque.
Concordia	T. K. Green.....	Keachie.
DeSoto	W. H. Davis.....	Grand Cane.
DeSoto	G. W. Graham.....	Baton Rouge.
East Baton Rouge	Edw. F. Davis.....	Hope Villa.
East Baton Rouge	Charles Knowlton.....	Lake Providence.
East Feliciana	J. M. Kennedy.....	Clinton.
East Feliciana	George W. Munday.....	Clinton.
East Feliciana	Thomas S. Adams.....	Winnaboro.
Franklin	Duncan Baile.....	Cottonburg.
Grant	W. P. Guynes.....	Spannerette.
Iberia	J. Alcide Provost.....	Souloque.
Iberville	T. T. Allain.....	Bayou Goula.
Iberville	J. S. Davidson.....	Vernon.
Jackson	W. C. McDonald.....	Gretna.
Jefferson	C. F. Brown.....	Lafayette.
Lafayette	R. B. Martin.....	Raceland.
Lafourche	W. F. Harang.....	Thibodaux.
Lafourche	H. N. Conlon.....	Vienna.
Lincoln	W. A. Van Hook.....	Springfield.
Livingston	I. J. Wall.....	Tallulah.
Madison	Governor Hawkins.....	Omega Landing.
Madison	W. W. Johnson.....	Bastrop.
Morehouse	J. B. Williams.....	Natchitoches.
Natchitoches	L. Caspari.....	Robeline.
Natchitoches	A. E. Cassidy.....	
Orleans—		
1st Rep. Dist	Bernard C. Shields.....	93 Race St., New Orleans.
2d Rep. Dist	J. D. Farrell.....	350 Carondelet St., New Orleans.
2d Rep. Dist	E. S. Whitaker.....	22 Carondelet St., New Orleans.
3d Rep. Dist	W. I. O'Donnell.....	99 Gasquet St., New Orleans.
3d Rep. Dist	B. J. Armbruster.....	56 Carondelet St., New Orleans.
3d Rep. Dist	W. F. Bulger.....	202 Poydras St., New Orleans.
4th Rep. Dist	Leon Bertoli.....	160 Bienville St., New Orleans.
5th Rep. Dist	Lucien M. Gex.....	239 Dumaine St., New Orleans.
5th Rep. Dist	James D. Parier.....	79 St. Ann St., New Orleans.
6th Rep. Dist	Charles R. Kennedy.....	112 Esplanade St., New Orleans.
7th Rep. Dist	John A. Letten.....	452 Bourbon St., New Orleans.
7th Rep. Dist	Thomas H. Laroque.....	174 St. Bernard Av., New Orleans.
8th Rep. Dist	Miles Riordan.....	884 Mandeville St., New Orleans.
9th Rep. Dist	Ferdinand Dudenheffer.....	71 Louisa St., New Orleans.
9th Rep. Dist	Alfred Moss.....	61 Leceps St., New Orleans.
10th Rep. Dist	T. J. Bath.....	314 Phillip St., New Orleans.
10th Rep. Dist	Hugh Feehan.....	1594 Rousseau St., New Orleans.
11th Rep. Dist	T. C. Murphy.....	74 Second St., New Orleans.
11th Rep. Dist	Hugh J. McDonald.....	3184 Washington Av., New Orleans.
12th Rep. Dist	W. R. Grethhouse.....	827 Magazine St., New Orleans.
13th Rep. Dist	R. H. Downing.....	28 Camp St., New Orleans.
14th Rep. Dist	S. L. Henry.....	12 Carrollton Av., New Orleans.
15th Rep. Dist	Norbert Trepagnier.....	Algiers Station, New Orleans.
Ouachita	A. A. Lacey.....	Cuba.
Plaquemines	Henry Mahoney.....	Jennit's Bend.
Pointe Coupée	L. B. Claiborne.....	New Roads.
Rapides	Robert P. Hunter.....	Alexandria.
Rapides	S. T. Meeker.....	Lecompte.

THE LEGISLATURE—Continued.

HOUSE OF REPRESENTATIVES.

PARISHES.	NAMES.	POST OFFICES.
Red River.....	Joseph H. Pierson.....	Conshatta.
Richland.....	H. B. Wells.....	Delhi.
Sabine.....	R. M. Armstrong.....	Marthaville.
St. Bernard.....	C. D. Armstrong.....	St. Bernard.
St. Charles.....	C. A. Bourgeois.....	Hahnville.
St. Helena.....	H. C. Newsom.....	Greensburg.
St. James.....	Vincent Dickenson.....	St. Patrick.
St. John the Baptist.	John Cayolle.....	Bonnet Carre
St. Landry.....	Placide Robin.....	Arnaudville.
St. Landry.....	Albert Guidry.....	Grand Coteau.
St. Landry.....	J. C. Lyons.....	Plaquemine Brulé.
St. Landry.....	Anrel Arnaud.....	Arnaudville.
St. Martin.....	Alfred Voorhies.....	St. Martinville.
St. Mary.....	W. S. Posey.....	Pattersonville.
St. Mary.....	John F. Patty.....	Baldwin.
St. Tammany.....	J. S. Bossier.....	Covington.
Tangipahoa.....	W. W. Bankston.....	Ponchatoula.
Tensas.....	R. C. McCullough.....	Waterproof.
Tensas.....	John Murdoch.....	Hard Times.
Terrebonne.....	Thomas A. Cage.....	Houma.
Terrebonne.....	G. W. Lyons.....	Houma.
Union.....	W. W. Heard.....	Farmeraville.
Vermilion.....	George M. Eldridge.....	Abbeville.
Vernon.....	Thomas Richardson.....	Caney.
Washington.....	John B. Morris.....	Franklinton.
Webster.....	G. L. P. Wren.....	Minden.
West Baton Rouge.....	Auguste Levert.....	Bruly Landing.
West Carroll.....	Simon Witkowski.....	Caledonia.
West Feliciana.....	C. W. Ball.....	Bayou Sara.
Winn.....	D. S. Waddell.....	St. Maurice.

HARRY W. OGDEN, Speaker of the House of Representatives.

PETER J. TREZEVANT, Clerk.

THOMAS MCINTYRE, Sergeant-at-Arms.

A C T S
PASSED BY THE GENERAL ASSEMBLY
OF THE
STATE OF LOUISIANA,
AT THE
REGULAR SESSION OF 1886.

No. 1.] CONCURRENT RESOLUTION,
Commemorative of General Winfield Scott Hancock.

Whereas, Since the last session of the General Assembly the people of the United States have been called upon to mourn the loss of General Winfield Scott Hancock, a distinguished soldier of the Republic, whose death transpired at the post of duty, and from sudden malady, on the 9th of February, 1886: That in the profound and universal grief of this national bereavement the State of Louisiana and her people are entitled to and do bear their sorrowful part, and gratefully exalt his memory as soldier, citizen and friend, upon whose like they may not look again :

Preamble.

And that his exalted and stainless name should be borne upon the tablet where Louisiana enshrines the memory of her noble dead :

Be it resolved by the Senate, the House of Representatives concurring, That the people of Louisiana have heard with deepest sensibility of the loss of General Winfield Scott Hancock, a great soldier and citizen of the United States, and participate with unaffected sorrow in the universal bereavement at his death.

Resolutions commemorative of Gen.
W. S. Hancock.

That he came among us in 1867 as the military commander of the State of Louisiana, and found a people ruined in fortune and well nigh crushed in hope.

Instead of an oppressor we found in him a deliverer, a ruler upon whose heart laid the supreme oath he had taken to cherish, preserve and defend the great principles upon which our government rests. Instead of relegating us to the control of an armed satrapy he bade us look up, forget our ruin and rebuild

in hope, and gave to us that declaration which should be traced upon our public monuments in unfading character, as it is already stamped ineffaceably upon the grateful hearts of our people.

“The right of trial by jury; the habeas corpus; the liberty of the press; the freedom of speech; the natural rights of persons, and the right of property should be respected.”

This noble and undying declaration will be placed, as it deserves to be, in high blazonry, and commemorate the greatness of his civil rule not less than his military splendor achieved upon the fields of Mexico in a common cause, and in the great battles of our civil war.

Be it further resolved, etc., That this General Assembly, in common with all his country-men, deploras the death of him who was the friend and benefactor of Louisiana in her hour of trial, and expresses its sense of the irreparable loss which she, together with her sister States of the Union, has sustained thereby.

That the people of Louisiana will ever cherish with grateful affection the memory of this flinchless soldier and flawless citizen, upon whose every deed has beat the fierce scrutiny of partisanship, without a resultant blemish, and commend to their posterity his great name and character as a worthy example of American nobility and manhood.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor, and President of the Senate.

Approved May 24, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 2.]

AN ACT

Making appropriation to defray the expenses of the General Assembly of the State of Louisiana, to pay the actual traveling expenses and per diem of the members, the salaries of the officers and employees, and other expenses thereof for the regular session commencing May 10, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the sum of seventy-five thousand dollars (\$75,000), or so much thereof as may be necessary, is hereby appropriated to pay the actual traveling expenses and per diem of the members of the General Assembly of the State of Louisiana, the salaries of the officers and other employees, and other expenses thereof, for the regular session, commencing May 10, 1886, and to be obtained and disbursed as hereinafter provided.

\$75,000 appropriated to defray the expenses of the General Assembly.

SEC. 2 *Be it further enacted, etc.,* That of the sum so appropriated, fifty-three thousand four hundred dollars, (\$53,400) is hereby set apart for the use of the House of Representatives, and twenty-one thousand six hundred dollars (\$21,600) for the use of the Senate. That the Chairmen of the Disbursing Committees of the two Houses shall, in the disbursement of the sum herein appropriated, issue vouchers in favor of the parties entitled to be paid out of the same, and take receipts therefor, which vouchers shall be approved and countersigned by the presiding officer of the respective Houses; and on the presentation of such voucher, the Auditor of Public Accounts shall warrant on the Treasurer for the amount of such vouchers, respectively, in favor of the parties entitled thereto.

\$53,000 to House
of Representatives
and \$21,000 to the
Senate.

Mode of drawing
said sums.

SEC. 3. *Be it further enacted, etc.,* That the aforesaid warrants shall be paid out of any moneys in the treasury not otherwise appropriated; and the Treasurer is hereby required to pay said warrants out of the first moneys paid into the treasury on licenses due in the year 1836, and on taxes which fall due in the year 1886, by preference over all other warrants, except warrants for the salaries of the constitutional officers of the State for the year 1886, which shall be concurrent with the warrants provided for in this act.

Mode of payment -
of warrants for said
amounts.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved May 24, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 3.] CONCURRENT RESOLUTION

Requesting our Senators and Representatives in Congress to secure such legislation at the present session of Congress as will afford ample protection to every actual settler upon the lands granted to the State of Louisiana, by Act of Congress passed June 3, 1856, to aid in the construction of a railroad from a point on the Mississippi river, opposite Vicksburg, by way of Monroe and Shreveport, to the Texas line, which road was known as the Vicksburg, Shreveport and Texas Railroad; and to provide means by which settlers on the lands not earned by said railroad and disposed of according to the terms of said grant, may acquire from the government a title to the lands occupied by them, without paying more than the ordinary fees for homestead entry.

Whereas, By act of Congress, of June 3, 1856, a grant of lands was made to the State of Louisiana to aid in the construction of railroads, and act No. 98, of the Legislature of 1857, entitled "An Act to accept in part of the grant, and carry into execution the trust conferred upon the State of Louisiana by an act of Con-

Preamble.

gress making a grant of lands to aid in the construction of railroads in said State," approved June 3, 1856, accepted said grant of lands and conferred the same upon the Vicksburg, Shreveport and Texas Railroad Company, a corporation then existing under the laws of the State of Louisiana, provided the said railroad company should within ninety days from the approval of said act accept the grant under the conditions of the said act of Congress, by a resolution of its Board of Directors, a certified copy of which, bearing the corporate seal of the company, with the signatures of its president and secretary, should be filed in the office of the Secretary of State. And the official estimate of John Wood, acting commissioner, issued from the General Land Office on the 27th day of August, 1856, showed that 420,924 acres of land would accrue to said railroad under said grant. The conditions of the grant provided for in section 4 of said act of Congress being that the lands granted should only be disposed of in the manner following: "That is to say, that a quantity of land not exceeding one hundred and twenty sections, and included within a continuous length of twenty miles of said road, may be sold; and when the Governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of said road are completed, then another like quantity of the land hereby granted may be sold; and so, from time to time, until said road is completed; and if said road is not completed within ten years, no further sale shall be made, and the lands unsold shall revert to the United States;" and,

Whereas, The said Vicksburg, Shreveport and Texas Railroad was not completed within ten years, more than half the time of said road remaining unconstructed for more than twenty years after the said grant was made, whereby the said Vicksburg, Shreveport and Texas Railroad Company forfeited its rights to more than 150,000 acres of the land embraced in said grant, which land, by the terms of the grant, were made to revert to the government, and which still form a part of the public domain; except as the same may have been taken up by actual settlers; and,

Whereas, The United States Land Office, at Monroe, La., offered these lands for entry and homestead, after the expiration of the time for the completion of said railroad, and after the said railroad company had failed to earn the said lands according to the terms of the said grant, and the lands being so offered after the lapse of said grant, many citizens of the State, acting in good faith, homesteaded, entered, settled, improved and cultivated a large portion of said lands, believing they were acquiring a valid title thereto, a majority of such settlers being men of small means, now residing on said lands, and who will be deprived of a home for their families if these lands are taken from them; and,

Whereas, The Vicksburg, Shreveport and Pacific Railroad Company, succeeding the said Vicksburg, Shreveport and Texas Railroad Company, have recently completed the construction of said railroad, and now claim to be entitled to all the lands covered by the granting act, whether the lands be occupied by settlers or not; and,

Whereas, The said grant to the Vicksburg, Shreveport and Texas Railroad had lapsed before the purchase of said road by the Vicksburg, Shreveport and Pacific Railroad Company, in 1879; and,

Whereas, From 1866 to 1884 the said grant, if not forfeited by the terms of the grant, was clearly forfeitable for the portion not earned, and ought to have received the consideration of our Congressmen, and should have been either declared forfeited or the grant should have been extended by Congress (if it was intended to permit the railroad to acquire the lands) upon such terms and conditions as would have afforded sufficient protection to the settlers; and,

Whereas, It does not appear that any action is being taken by Congress for the protection of the settlers on said lands, either by forfeiture of the grant or otherwise; therefore,

SECTION 1. *Be it resolved by the Senate of the State of Louisiana, the House of Representatives concurring*, That our Senators in Congress be instructed, and that our Representatives in Congress be requested, to use every possible effort to secure such legislation at the present session of Congress as will afford ample protection to every actual settler on said lands, and provide means by which each settler may acquire title from the government to the lands occupied by him, without paying more than the ordinary fees for homestead entry, and we suggest that this may be accomplished by immediately declaring the forfeiture of all the lands not disposed of according to the terms of the grant for that portion of the road which was completed in ten years from the date of the grant, or by confirming the grant to the Vicksburg, Shreveport and Pacific Railroad Company, excepting and excluding from the operation of the grant so confirmed, all lands now occupied by actual settlers, and reserving to such settlers the right to make their homestead entry within a reasonable time, and by preference over those who are not settlers on said lands.

Legislation asked from Congress to secure protection to actual settlers on lands granted to railroads.

SEC. 2. *Be it further resolved, etc.*, That a copy of these resolutions be transmitted by the Governor to each of our Senators and Representatives in Congress.

Copy of these resolutions to be forwarded to our members of Congress.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved June 1, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 4] CONCURRENT RESOLUTION

Indorsing the policy pursued by Messrs. Gladstone and Parnell on the Irish question.

Whereas, The march of civilization is fast developing and con-
ferring upon all people the invaluable right of self-government,
right ever sacred to the American people; and,

Preamble.

Whereas, The deprivation of such a privilege to Ireland has
caused great and continual suffering in that unfortunate country
for many long years;

Recognition by the Legislature of the statesmanship of Hon. W. E. Gladstone and Chas. S. Parnell, relative to the future of Ireland.

Resolved, That the Legislature of Louisiana recognize the statesmanship and applaud the manliness of the Right Honorable W. E. Gladstone, and the zeal and untiring devotion of Hon. Charles S. Parnell, in proposing in the British Parliament a line of policy which is replete with fairness and full of promise to the future of Ireland.

Resolved, further, That the Secretary of State be instructed to transmit copies of these resolutions to Mr. Gladstone and Mr. Parnell.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved June 1, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 5.] CONCURRENT RESOLUTION

Asking for an appropriation by Congress for the purpose of dredging and removing islands, sand-banks and other obstructions of whatever nature they may be, from the mouth of Bayou Lafourche, where it empties into the Gulf of Mexico, in the parish of Lafourche, to Raceland Station, on Bayou Lafourche, in Lafourche parish, State of Louisiana.

Preamble.

Whereas, There are numerous islands, sand-banks and other obstructions in the Bayou Lafourche from its mouth up to Raceland Station;

Whereas, The general navigation of said bayou is greatly impeded thereby;

Whereas, The removal of said islands, sand-banks and other obstructions, the dredging and deepening of the channel of said bayou, would greatly facilitate the transportation of the various and extensive products of said section of country and give speedy and sure communication with the markets of the world;

Be it resolved by the House of Representatives of the State of Louisiana, the Senate concurring, That our Senators and Representatives in Congress be and they are hereby requested to urge upon Congress the passage of an act making an appropriation of a sufficient sum of money for the dredging and deepening of the channel of said bayou; and also for the removal of the islands and other obstructions from said channel, from the mouth of said bayou, where it empties into the Gulf of Mexico, in the parish of Lafourche, to Raceland Station, on Bayou Lafourche, in Lafourche parish, State of Louisiana, and requiring the Federal Government, through the proper department, to take measures for the removal of said obstructions and for the dredging and deepening of the channel of Bayou Lafourche between said points, so as to improve the navigation thereof,

Instructions to our members of Congress to procure an appropriation for dredging and deepening Bayou Lafourche.

and give speedy, direct and safe means of transportation and communication to the inhabitants of said section of country.

Be it further resolved, That the Governor be requested to forward a copy of these resolutions to our Senators and Representatives in Congress.

Copies of these resolutions to be forwarded to our members of Congress.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved May 31, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 6.] CONCURRENT RESOLUTION

Relative to the improvement of navigable streams in the Parish of St. Tammany.

Whereas, It is in the interest of commerce and the great and growing trade between the city of New Orleans and the parish of St. Tammany, and that the latter has become, through its salubrious climate and its various medicinal springs, the resort of the seeker after health and pleasure, thereby increasing in the last few years its passenger traffic to a wonderful extent, that the streams emptying into and tributary to Lake Pontchartrain should be kept in good navigable order for the better navigation of the waters; that their several bars should be dredged and kept dredged out, channels deepened and straightened, obstructions removed, cut-offs made, and in short such work done as may offer less impediments to the transportation of the various products of its sources of wealth and industry, viz: brick, sand, lumber, shells, tar, pitch, turpentine, rosin, cotton, sugar, molasses, hay, fruits, potatoes, and which from its distributing point, New Orleans, finds its way over the whole world, and together with its return freights and travel furnishes employment to an immense fleet of steamers, schooners and sail vessels of all classes; and,

Preamble.

Whereas, The appropriation recently made by Congress of the United States for the Tchefuncta and Big Bough Fallia rivers, are entirely inadequate for the purposes intended; therefore be it

Resolved by the House of Representatives of the State of Louisiana, the Senate concurring, That our Senators and Representatives from the State of Louisiana in the Congress of the United States, be respectfully instructed and requested to use every endeavor and exertion to secure for the Big Bough Fallia an additional appropriation of ten thousand dollars (\$10,000) for the purpose of more fully and effectually carrying out the object intended, viz: of dredging, cleaning out and removing its obstructions and impediments to navigation, from the point known as the Old Landing to the town of Covington, to which large steamers and other crafts formerly came without let or hindrance; and

Instructions to members of Congress to procure the passage by Congress of an act to improve the navigation of navigable streams in the Parish of St. Tammany.

that further appropriations be made for the following streams with the sums designated, for the purpose of carrying out the objects herein before specified, to wit, the improvement of their condition for navigation for the purposes of commerce, traffic and trade: Bayou Castin, near Mandeville, the only safe anchorage for that town from the perils of the storms of Lake Pontchartrain, five thousand dollars (\$5,000); Bayou Bonfouca, five thousand dollars (\$5,000); Bayou Lacombe, five thousand dollars (\$5,000); total for the four streams mentioned, Big Bough Fallia, Bayou Castin, Bayou Bonfouca and Bayou Lacombe, twenty-five thousand dollars (\$25,000); be it

Resolved, That his Excellency the Governor be requested to transmit, as early as possible, copies of this concurrent resolution to each of our Senators and Representatives in Congress.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved May 31, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,

Secretary of State.

No. 7.]

JOINT RESOLUTION

Providing for the repairs of artificial limbs supplied by the State, which have been furnished to citizens of the State who lost a limb or limbs in the Confederate military service, with substantial artificial limbs.

Preamble.

Whereas, In the embodiment of Act No. 46, of the session of 1884, an act entitled "An Act, making appropriations for the purpose of supplying citizens of the State who lost a limb or limbs in Confederate military service, with substantial artificial limbs; and appropriating sixteen thousand (\$16,000) dollars therefor, but for the manufacture of same only; and,

Whereas, Many of such artificial limbs supplied by the State sometimes require repairs, and the wearers of same are unable to have them repaired, and no provision made for such purpose; therefore,

Be it resolved by the General Assembly of the State of Louisiana, That the Adjutant General of this State, in whom is vested the authority to contract for the manufacture of said limbs, is hereby authorized and empowered to have such repairs made as in his judgment are required, and any expense incurred therefor, he is hereby authorized to disburse from any funds in his hands, or to

Authority on the Adjutant General to contract for manufacture of limbs to Confederate soldiers. Appropriation to pay same.

the credit of artificial limbs by appropriations heretofore or hereafter made by the General Assembly.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved June 3, 1886:

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 8.] CONCURRENT RESOLUTION

Inviting Levee Commissioners from Chicot, Desha and Philips counties, Arkansas, to Baton Rouge, to confer with legislative committees.

Whereas, Twelve or more parishes of the State of Louisiana are annually exposed to inundation from the waters of the Mississippi river; therefore be it

Preamble.

Resolved by the General Assembly of the State of Louisiana, That the Levee Commissioners of the counties of Phillips, Desha and Chicot, of the State of Arkansas, are hereby requested and invited to meet the levee committees of the General Assembly of the State of Louisiana, for the purpose of formulating some concert of action at Baton Rouge, during the present session, to the end that a unity of purpose and concentrated force be brought to bear upon this ever-threatening danger, and that the Governor of this State is requested to notify and invite said Levee Commissioners of the State of Arkansas, through the Executive Department of that State.

Invitation to the Levee Commissioners of Phillips, Desha and Chicot counties, in Arkansas, to meet the levee committee of the Legislature to confer on a plan to protect both States from inundation.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved June 3, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 9.] CONCURRENT RESOLUTION

Relative to establishing a Mechanical School and memorializing the Congress of the United States for the donation of the United States Marine Hospital at New Orleans for that purpose.

Preamble.

Whereas, It is of vital interest to the whole country to encourage the education of its youths in all branches of honest industry; and

Whereas, A suitable location exists in the city of New Orleans for the establishment of a mechanical school, in the buildings known as the United States Marine Hospital, and of no possible use to them.

Memorial to Congress to donate the U. S. Marine Hospital and grounds to the city of New Orleans for the establishment of a Mechanical school.

Be it resolved by the Senate and House of Representatives of the State of Louisiana, That the Congress of the United States be memorialized to donate the grounds and buildings to the city of New Orleans for the purpose of establishing a free school for the instruction of youths from 12 to 15 years of age, in all the various branches of mechanics, said school to be supported by the city of New Orleans, and products of its manufacture.

Resolved further, That our Senators and Representatives in Congress, be, and are hereby requested to assist in the furtherance of this object, and at as early a day as possible present a bill in conformity hereto.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 3, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

No. 10.] AN ACT

For the relief of the heirs of parties whose property may have been confiscated by the United States, in conformity with Article 57 of the Constitution.

Release of payment of all taxes on property confiscated by the United States when reversible to the heirs of the parties who suffered the confiscation.

Be it enacted by the General Assembly of the State of Louisiana, All taxes, State parochial or municipal, due on property which may have been confiscated by the United States, shall, at the date of its reversion, be released to the heirs of the parties who suffered the confiscation.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 7, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

No. 11.]

AN ACT

To authorize the Secretary of State to forward to each clerk of each District Court in the State a copy of the Acts of each session of the General Assembly, bound in leather.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the Secretary of State shall forward to each clerk of each District Court in the State a copy of the Acts of each session of the General Assembly, bound in leather, beginning with the Acts of the session of 1886.

Bound copies of the Acts to be forwarded to the clerks of court by the Secretary of State.

SEC 2. *Be it further enacted, etc.*, That payment for the binding in leather of a sufficient number of copies of the Acts of each session of the General Assembly, to carry out the requirements of the first section of this act, shall be made out of the appropriation for the State printing.

Provision for the binding of sufficient Acts for that purpose.

SEC. 3. *Be it further enacted, etc.*, That all laws or parts of laws in conflict herewith are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved June 7, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 12.]

CONCURRENT RESOLUTION

Instructing and requiring the Attorney General to institute, without delay, legal proceedings against the Carondelet Canal and Navigation Company for the forfeiture of its charter, and to bring its property into the possession of the State.

Whereas, It appears from the reports of the special Senate and House Committees of the State of Louisiana, appointed during the session of 1884, to investigate the affairs of the Carondelet Canal and Navigation Company, that the said company is guilty of repeated and gross violations of its charter; therefore, be it

Resolved by the General Assembly of the State of Louisiana, That the Attorney General be and he is hereby instructed and required to institute legal proceedings, without delay, against the said Carondelet Canal and Navigation Company for the forfeiture of its charter, and to bring its property into the possession of the State.

Instructions to the Attorney General to institute suit for the forfeiture of the Carondelet Canal and Navigation Company.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved June 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 13.]

AN ACT

To authorize the Board of Trustees of the Southern University to sell their school property, situated on Calliope street, city of New Orleans, to the Board of Trustees of the McDonogh School Fund, of that city.

Due notice for thirty days having been given of the introduction of this act, as required by article 48 of the Constitution ;

Board of Trustees of Southern University of New Orleans authorized to sell certain real estate to the trustees of the McDonogh school fund of said city.

Be it enacted by the General Assembly of the State of Louisiana, That the Board of Trustees of the Southern University, of the city of New Orleans, established by Act No. 87, of the year 1880, be authorized to sell their property, situated on Calliope street, in square bounded by Calliope, Clio, St. Charles and Prytania streets of said city, to the trustees of the McDonogh School Fund of said city, for the sum of fifteen thousand dollars cash, for the purpose of defraying the cost of a new school building and dormitories for said university, now being erected in square bounded by Magazine, Constance, Dufossat and Soniat streets, of said city.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 11, 1886.

S. D. MCENERY,

Governor of the State of Louisiana..

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 14.]

CONCURRENT RESOLUTION

Commemorative of Gen. Frederick Nash Ogden.

Preamble.

Whereas, During the present session of this Legislature, a proclamation of the Executive has conveyed to the people of Louisiana the mournful intelligence of the death of Gen. Frederick Nash Ogden, an illustrious citizen of Louisiana, whose death occurred after a lingering illness, at his home in the city of New Orleans, on the 25th of May, 1886. That the announcement has aroused the keenest sensibilities of sorrow in the minds of all loyal and patriotic citizens of this State, and in recognition of this almost universal sentiment, and in acknowledgment of their appreciation of his exalted and stainless character, it is eminently appropriate that the memory of his fame should be perpetuated in the civil records of his State.

Resolutions of condolence of the late Gen. Fred. N. Ogden.

Be it resolved by the House of Representatives, the Senate concurring, That the people of Louisiana have learned with profound sorrow of the death of Gen. Frederick Nash Ogden; that his public character as a citizen, soldier and statesman exhibited qualities worthy of the highest emulation and admiration. In his private character, a chivalric devotion to his family and friends, his unblemished honor, his unfailing courtesy, his daunt-

less courage, entitle him, in the highest significance, to the grand old name of "Gentleman, *sans peur et sans reproche*."

Be it further resolved, That his public services to his State in the hour of direct peril should be inscribed in luminous characters upon the page of his country's history.

Be it further resolved, That the people of Louisiana should enshrine in grateful memory, upon the tablet whereon Louisiana commemorates her heroic dead, the loyal citizen, the patriotic soldier, the chivalric gentleman, and deem him an example worthy the highest esteem and emulation of her posterity.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 17, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 15.]

AN ACT

To authorize the Board of Liquidation to contract with any bank or banks, or capitalist, to pay the interest on the Consolidated or Constitutional bonds of the State and the warrants drawn against the General Fund and expenses of the General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That, in addition to the authority conferred by existing laws, the Board of Liquidation be and is hereby authorized to contract with any bank or banks, or capitalist, to advance such sums as may be necessary to pay the interest on Consolidated and Constitutional bonds maturing on the first of July and January of each year, and to advance such sums as may be necessary to pay the expenses of the General Assembly and warrants drawn against the General Fund.

State Board of Liquidation authorized to contract with any bank, or banks or capitalist, to pay the interest on the bonds of the State, and to advance such sums as may be necessary to pay the expenses of the General Assembly and warrants against the General Fund.

SEC. 2. *Be it further enacted, etc.*, That all laws or parts of laws in conflict with this act are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 17, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 16.]

AN ACT

Authorizing the institution of suits for the recovery of certain claims before courts having jurisdiction of the property, when the owners are not domiciled in the parish where the property is situated.

Authority to re-instate suits for the recovery of certain claims before courts having jurisdiction of the property, when owners are not domiciliated in the parish where the property is situated.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That parties holding claims against any citizen of this State for labor performed, or for supplies or materials furnished, or for improvements made upon any farm or plantation, or real estate, are hereby authorized to institute suit for the recovery of such claims before any competent court having territorial jurisdiction of the property, whether the owner be domiciled or not in the parish where the property is situated.

SEC. 2. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved June 17, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 17.]

AN ACT

To provide for supplying the loss of public records, books and other papers consumed by the burning of the court-house of the parish of Vermilion, on the morning of the seventh day of April, eighteen hundred and eighty-five.

Preamble.

Whereas, Public notice has been given during thirty days prior to the offering this bill in the *Meridional*, a newspaper printed and published in the parish of Vermilion, the same being the official journal of said parish, and which is in the following words, to-wit:

Public notice of the introduction of this bill.

"Notice is hereby given that in accordance with the requirements of Article 48 of the Constitution of this State, it is the intention of the undersigned to apply to the General Assembly of this State for the passage of the following entitled bill:

"An Act to provide for supplying the loss of the public records, books and other papers, consumed by the burning of the court-house of the parish of Vermilion, on the morning of the seventh day of April, 1885.

"GEO. M. ELDRIDGE,
"LASTIE BROUSSARD,
"R. P. O'BRYAN"

Original papers, together with pleadings, bonds and orders granted therein, how and in what manner revived.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That when any original papers appertaining to any suit, or suits, pending in the District or Circuit Court in and for the parish of Vermilion, were destroyed by the burning of the court-house of said parish on the seventh day of April, 1885,

said suit or suits, together with all the pleadings, bonds and orders rendered or granted therein and making part thereof, may be revived and reinstated by either plaintiff or defendant, filing with the clerk of said court a duly certified copy of the original petition, or by motion in open court, or in chambers served on the opposite party, which motion shall contain the name and residence of the parties, the nature of the demand and cause of action, as well as the date of the filing of the original petition and service of citation as near as can be ascertained, together with a statement of the pleadings had in the suit, orders made and bonds filed, accompanied by affidavit of the parties, or their attorneys, as to the truth of the facts stated; upon filing which motion, a rule may be taken on the opposite party to show cause, within ten days from the service thereof, why said suit, pleadings, orders of court, and bonds should not be reinstated. If answer is made to said rule it shall be accompanied by the affidavit of the party, or his attorney, as to the truth of the facts stated by him; and it shall be sufficient for the party to swear to the best of his knowledge and belief.

SEC. 2. *Be it further enacted, etc.,* That upon the production of a certified copy of any original judgment, either of the District Court, Circuit Court or Supreme Court, or certified copies of the same from the record of judicial mortgages, or the record of judgments, the clerk of said court of said parish of Vermilion shall be authorized to issue execution thereon.

Duty of the clerk of court in issuing execution.

SEC. 3. *Be it further enacted, etc.,* That in all cases where any deed or act of conveyance, *title bond*, mortgage, privilege, bond, judgment or other instrument of writing, which was of record or deposited in any office held in said court-house, and which was destroyed by fire on the seventh day of April, 1885, but the original of which said instrument in writing, or a duly certified copy of said original, or a duly certified copy of said record thereof is in the possession of the person entitled to the same, he may have the same re-established and revived by recording said original, or copies, anew in the office of the clerk, *ex officio* recorder of said parish; and said recordation shall relate back and have full force and effect from the date the same was recorded in the first instance; but in case that no original or certified copy as aforesaid, shall have been preserved, then any person or persons interested, may have the same revived and re-established by applying to the District Court of said parish, or to the judge of the district, in open court or in chambers, by petition under oath, in which he shall describe such deed, act of conveyance, *title bond*, mortgage, privilege, bond, judgment or other instrument of writing, with as much specific certainty as possible, of which application due notice shall be given to the vendor, obligor, debtor or other party or parties adverse in interest, or on his or their heirs and legal representatives, if dead, either in person or by publishing a notice in the official journal of the parish of Vermilion, of said application; which notice shall contain a brief and clear statement of the object and intent of said application, the names of the persons having an adverse interest or who held title to any realty at any time anterior to the party or parties applying, so far as known, the time when said appli-

Title acts, bonds, mortgages, judgments, and other instruments of writing, how and in what manner revived.

cation will be heard, and the delay in which such party or parties will be required to answer.

That in case the notice be given by publication in the newspaper, as aforesaid, the same shall be published at least two consecutive weeks and the last publication to be at least six weeks before said application shall be heard; *provided*, that if there be no newspaper published in said parish, then notice of said application may be made in some newspaper published in New Orleans; *and provided further*, that the parties personally cited shall have the same delays in which to answer as in ordinary suits. In all cases the answer of defendants must be made under oath and must either admit the facts as stated in the petition, or deny the same in whole or in part, and no other issue is to be tried, but the existence or non-existence of the document sought to be re-established. When the defendants have answered, or a default has been taken for want of an answer, and the legal delays have expired, the judge, either in open court or in chambers, as the case may be, shall proceed to trial, and after hearing the evidence produced, shall render judgment re-establishing, or not, such deed, act of conveyance, title bond, mortgage, privilege, bond, judgment or other instrument of writing, as the evidence may prove to have existed, and to have been destroyed as above stated, and which judgment shall contain a statement of the nature and substance of the document so re-established and reinstated; and such judgment, when so re-establishing and reinstating any such documents, and the evidence of the title to any property, shall be entitled to record in the proper books, and when so recorded shall relate back and have full force and effect from the date of the first record of the same as fully as the original could have done.

In case the defendant is absent from the State, the judge shall appoint a curator *ad hoc* to represent him, on whom service shall be made as herein provided for.

SEC. 4. *Be it further enacted, etc.*, That in case the defendant be an absentee from the State, it shall be set forth, under oath, in the petition, and the judge shall appoint a curator *ad hoc* to represent such absentee, upon whom service shall be made in the manner above prescribed. That the oath of the plaintiff to the allegations of his petition shall be *prima facie* evidence of the existence, nature and contents of such deed, act of conveyance, title bond, mortgage, privilege, bond, judgment or any other instrument of writing, but may be rebutted by the denial, under oath, of the defendant.

Effect of the recording of any duly certified copy of any act, as well as the recording of any act of any nature and kind from any notary public, in the office of the recorder of said parish.

SEC. 5. *Be it further enacted, etc.*, That the recording of any duly certified copy of any act, of any nature and kind whatsoever, as well as the recording of any act from the record books of any notaries, or a duly certified copy therefrom, made previous to the passage of this act in the proper record book of the clerk of court, *ex officio* recorder of said parish of Vermilion, shall have the same force and effect as if done after the passage hereof, and shall be held valid and admissible as evidence.

Cost incurred in any suit to re-establish any documents and instruments of writing, how and by whom paid.

SEC. 6. *Be it further enacted, etc.*, That the costs incurred in any suit to re-establish any documents and instruments of writing shall be paid by the party cast, in case defense be made; *provided*, that the judge trying the case shall have the discretion of dividing the costs between the plaintiff and defendant, when he shall consider the ends of justice subserved thereby. In case no defense or opposition be made, the plaintiff shall pay all costs

SEC. 7. *Be it further enacted, etc.,* That the provisions of this act shall not prevent the re-establishing of any judgment rendered by parol evidence, when the original record thereof has been destroyed by the burning of said court-house on the date before mentioned.

Provisions of this act not to prevent the re-establishment of any judgment rendered by parol evidence when the original record has been destroyed.

SEC. 8. *Be it further enacted, etc.,* That in all cases in which there are costs due any clerk, sheriff, parish recorder, or any other officer, they shall be allowed as in other cases, upon such officer making a specific bill thereof under oath.

Specific bill of cost to be made under oath.

SEC. 9. *Be it further enacted, etc.,* That the provisions of this act shall extend and apply to the reinstatement of all judgments, proceedings, notes, claims, etc., before the third justice of the peace for said parish, which may have been destroyed by said fire, and that the same proceedings for such reinstatement shall be had and held before said third justice of the peace aforesaid, as are herein provided for proceedings before the District Court.

Provisions of this act to apply to the reinstatement of judgments, etc., had before the third justice of the peace of the parish of Vermilion.

SEC. 10. *Be it further enacted, etc.,* That the affidavits required by this act shall be to the best of the knowledge and belief of the party making such affidavit.

Form of affidavit.

SEC. 11. *Be it further enacted, etc.,* That the Secretary of State be and he is hereby required to supply the clerk of the District Court of the parish of Vermilion with such books, duplicate reports of the Supreme Court, Acts of the General Assembly, Digests, Codes, etc., as he may have on hand, for the use of the courts of said parish, upon the clerk of the said court furnishing said Secretary of State with a sworn statement of books and reports destroyed by fire at the time before mentioned.

Books to be provided by the Secretary of State.

SEC. 12. *Be it further enacted, etc.,* That in all criminal prosecutions, where bills of indictment had been found and were destroyed by the burning of the court-house of the parish of Vermilion, as aforesaid, the grand jury are hereby authorized to find new bills of indictment and substitute them in the place of those destroyed.

Grand jury authorized to find new bills of indictment where the originals have been lost by fire.

SEC. 13. *Be it further enacted, etc.,* That in all criminal prosecutions, where bills of information had been filed by the district attorney and were destroyed by the burning of the court-house of the parish of Vermilion, as aforesaid, the district attorney is hereby authorized, and it is made his duty, to file new bills of information and substitute them in the place of those destroyed; *provided*, the grand jury may file bills of indictment in the cases mentioned in this section; *and provided, further*, that prescription shall not run in any case on account of the destruction of the original bills of indictment or information.

District attorney authorized to file new informations when the originals have been lost by fire.

SEC. 14. *Be it further enacted, etc.,* That verdicts of juries rendered in criminal prosecutions in the parish of Vermilion, and which were destroyed by the burning of the court-house of said parish, as aforesaid, may be revived or reinstated on motion of the district attorney or the party tried, as the case may be, made in open court or at chambers and served on the defendant or district attorney, as the case may be, which motion shall contain the name of the defendant, the nature of the crime of which the defendant was convicted or acquitted, the date of the verdict and its nature and character as near as can be ascertained; which motion shall be sworn to by the district attorney or party tried; upon filing which motion a rule shall be taken on the defendant

Revival or reinstatement of verdicts of juries in original cases, mode and manner of making the same.

or district attorney, as the case may be, to show cause within ten days from the service thereof why said verdict should not be reinstated. If answer is made to said rule it shall be sworn to by the defendant or his attorney, and it shall be sufficient for each party to swear to the best of his knowledge and belief; *provided*, that in case the defendant does not reside in the parish of Vermilion, or is a fugitive from justice, it will only be necessary to give notice by publication twice in ten days in the official journal of the parish of Vermilion.

Duties of registrar of voters in making a new registration.

SEC. 15. *Be it further enacted, etc.*, That immediately after the promulgation of this act it shall be and is hereby made the duty of the registrar of voters of said parish of Vermilion to proceed to a renewal of the destroyed books of registration of voters and poll books, and in addition to the powers conferred upon said registrar by the general election and registration laws, he is hereby empowered to carry upon said books the names of all persons known by him to have heretofore been registered, as well as the names of those persons to whose former registration any credible citizen of said parish of Vermilion may make affidavit; *provided*, nothing in this section shall be construed as changing in any other respect the duties of the registrar under the general registration laws of the State.

Limit of the provisions of this act. Provision.

SEC. 16. *Be it further enacted, etc.*, That the provisions of this act shall not extend beyond the first day of January, 1900; *provided*, that this limitation shall not apply to proceedings pending at that time and not decided.

SEC. 17. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 21, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 18.]

AN ACT

Requiring all stores, shops, groceries, saloons, and all places of public business which are or may be conducted under any law of the State of Louisiana, or under any parochial or municipal law or ordinance, except those herein exempted, to be closed on Sundays, and forbidding all giving, trading, bartering and selling on Sundays by the proprietors or employees of such establishments; declaring it a misdemeanor to violate the provisions of this act; and to fix penalties for all violations of the same; and to repeal all laws or parts of laws contrary to or inconsistent herewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That from and after the 31st day of December, A. D. 1886, all stores, shops, saloons, and all places of public business, which are or may be licensed under the law of the State of Louisiana, or under any parochial or municipal law or ordinance, and all plantation stores, are hereby required to be closed at twelve o'clock on Saturday nights, and to remain closed continuously for twenty-four (24) hours, during which period of time it shall not be lawful for the proprietors thereof to give, trade, barter, exchange or sell any of the stock or any article of merchandise kept in any such establishment.

Stores, shops, saloons and all places of public business, licensed under the laws of this State or under any parochial or municipal law or ordinance, all plantation stores, to be closed on Saturdays at 12 o'clock p. m., and remain closed for twenty-four (24) hours, and proprietors thereof are prohibited from giving, trading, bartering, exchanging or selling any articles of merchandise.

Penalty for violation of this act.

SEC. 2. *Be it further enacted, etc.,* That whosoever shall violate the provisions of this act, for each offense, shall be deemed guilty of a misdemeanor, and on trial and conviction, shall pay a fine of not less than twenty-five dollars, nor more than two hundred and fifty dollars, or be imprisoned for not less than ten days nor more than thirty days, or both, at the discretion of the court; provisions of this act shall not apply to newsdealers, keepers of soda fountains, places of resort for recreation and health, watering places and public parks, nor prevent the sale of ice.

SEC. 3. *Be it further enacted, etc.,* That the provisions of this act shall not apply to newspaper offices, printing offices, book stores, drug stores, apothecary shops, undertaker shops, public and private markets, bakeries, dairies, livery stables, railroads, whether steam or horse, hotels, boarding houses, steamboats and other vessels, warehouses for receiving and forwarding freights, restaurants, telegraph offices and theatres, or any place of amusement, providing no intoxicating liquors are sold in the premises; *provided*, that stores may be opened for the purpose of selling anything necessary in sickness and for burial purposes; *provided*, that nothing in this act shall be construed so as to allow hotels or boarding houses to sell or dispose of alcoholic liquors, except wine for table use on Sundays; *and provided, further*, that no alcoholic, vinous or malt liquors shall be given, traded or bartered or sold or delivered in any public place on said day, except when actually administered or prescribed by a practicing physician in the discharge of his professional duties in case of sickness; in such case the physicians administering the intoxicating liquors may charge therefor.

Newspaper offices, printing offices, book stores, drug stores, apothecary shops, undertaker shops, public and private markets, bakeries, dairies, livery stables, railroads, whether steam or horse, hotels, boarding houses, steamboats and other vessels, warehouses for receiving and forwarding freights, restaurants, telegraph offices, theatres and places of amusement, are exempted from the operation of this law. Provisos.

SEC. 4. *Be it further enacted, etc.,* That all laws or parts of laws contrary to or inconsistent with the provisions hereof, be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 21, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 19.]

AN ACT

To repeal Section 12 of Act No. 136, of the Acts of 1880, approved April 10, 1880, and to prohibit the exaction of advance costs from defendants in criminal prosecutions in this State.

Repeal of Section 12 of Act No. 136 of 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That Section twelve (12) of Act No. 136, of the Acts of 1880, approved April 10, 1880, be and the same is hereby repealed.

No costs to be exacted in criminal cases for the attendance of witnesses nor for jury fees, until trial and conviction shall have taken place.

SEC. 2. *Be it further enacted, etc.*, That no costs, whether in the shape of stamps or otherwise, shall be demanded or exacted in advance of or from any defendant or party accused, in any criminal prosecution in this State; and all processes for the attendance of witnesses and other processes of court, shall issue in his behalf without the payment of any advance costs or affixing any stamps, and no defendant or party accused shall in any case be required to pay any costs or affix any stamps, until he shall have been tried, convicted and condemned to pay costs.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 20.]

AN ACT

Providing for the appointment of Police Juries through the State of Louisiana by the Governor.

Governor to appoint police juries, at the expiration of their term of office, by and with the advice and consent of the Senate.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That it shall be the duty of the Governor, at the expiration of the term of office of Police Jurors appointed under Act No. 94, of the General Assembly of 1882, approved July 5, 1882, to appoint their successors by and with the advice and consent of the Senate.

Police jurors thus appointed to hold office until the general election of 1892. Removal from ward to operate a vacancy. Governor to fill vacancies occasioned by death, resignation or otherwise.

SEC. 2. *Be it further enacted, etc.*, That the Police Jurors appointed in pursuance with the provisions of the foregoing section, shall hold their offices until the general election of 1892; in case any Police Juror shall remove from the ward from which he may have been appointed, his office shall be *ipso facto* vacant, and the Governor shall be and he is hereby authorized to fill any vacancy that may occur from death, resignation or any other cause.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

For the protection of actual settlers on State lands, defining the mode and manner by which such lands possessed, improved or cultivated, may be entered or purchased from the State, and regulating the duties of the Register of the State Land Office in reference thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That no purchase or entry of any public lands belonging to the State of Louisiana shall be allowed, when previous thereto such lands have been possessed or improved or cultivated by any person holding or claiming adversely to the party seeking to purchase or enter the same; and such possessor or improver shall have the right of pre-emption and pre-entry of the lands so possessed, improved or cultivated, to be exercised either under the general laws of the State or under the provisions of this act, in accordance with rules and regulations adopted by the Register of the State Land Office and not inconsistent herewith.

Lands possessed, improved or cultivated by any person holding or claiming adversely to the party seeking to purchase or enter the same, shall entitle the possessor to the right of pre-emption or pre-entry of the lands so possessed, improved or cultivated.

SEC. 2. *Be it further enacted, etc.*, Where a portion of a quarter section, according to United States surveys or connections therewith, has been possessed or improved, no portion of such quarter section shall be liable to entry or purchase except by the possessor or improver, or by those who after his death succeeded to his rights as widow or heirs, and not otherwise; *provided*, that where two or more persons may be actual possessors or improvers of the same quarter section, no one of them shall be authorized to enter or purchase from the State any portion of such quarter sections possessed or improved by others.

When a quarter section has been improved or cultivated, no part thereof shall be subject to entry or purchase except by the possessor or improver, or by those who after his death succeeded him, such as widow or heirs. *Proviso.*

SEC. 3. *Be it further enacted, etc.*, It shall be competent for any person in possession of any improved or cultivated lands belonging to the State to file in the office of the Register of the State Land Office a declaration giving his postoffice address and residence, and setting forth that he is in possession of lands belonging to the State, which shall be described by reference to the United States survey, or in some other specific and determinate manner, by which the said lands may be identified, which said declaration shall be sworn to by the claimant and by two witnesses, who shall in their affidavits disclose their personal knowledge of the nature and extent of the possession and the improvements of the claimant, and how long such may have continued; and the filing of such declaration of possession shall be notice of possession of the tract of land by the declarant to the State Register of the Land Office, and to any person or persons seeking to enter the same, and shall entitle the parties to notice of all further proceedings in the State Land Office, except as set out in the following section; *provided*, that the omission to file such declaration shall not authorize the entry or location upon any lands belonging to the State, or occupied, possessed or cultivated by a party or parties not seeking to make such entry or location.

Declaration to be filed in the office of the Register of the State Land Office—form of the same—how and by whom to be sworn to.

Proviso.

SEC. 4. *Be it further enacted, etc.*, That the filing of such declaration and affidavits shall vest in the declarant the right of pre-emption and pre-entry, which must be exercised not later than six months after the Register of the State Land Office shall notify the declarant, his widow or heirs, that the lands described in such declaration are open for entry; and it shall be the duty

Declaration thus filed to vest in the declarant the right of pre-emption and pre-entry—limitation of time for such declaration to be made—duty of the Register in relation thereto.

of the Register of the State Land Office to issue such notice when such lands are ready for entry or purchase, when such declaration has been filed, or when the Register otherwise learns that there is an actual settler or improver in possession of any unentered State lands.

Notice to be given by the Register of the Land Office—time limited after such notice for parties to purchase or enter lands under the filing of the declaration and according to Homestead Act of 1871.

Proviso.

SEC. 5. *Be it further enacted, etc.,* That within six months after receiving notice from the State Register that the lands possessed by him are open to purchase or sale, any actual settler who has filed a declaration, or who is in possession without having filed such declaration, shall enter the lands so possessed, either by purchasing the same under the general State laws, or by entering the same under the provisions and conditions of the Homestead Act, being Act No. 21 of 1871; *provided, however,* that when the possession and settlement has continued more than five years, and proof thereof be made under rules and regulations to be established by said Register, the preliminary affidavit and proof may be dispensed with, and the patent for lands shall be issued on the payment of ten cents per acre; *and provided, further,* that the possession, improvement and settlement referred to in this act shall be only for agricultural or homestead purposes, and that the cutting, floating, hauling or sawing logs or trees shall not be regarded as possessory acts unless they were accompanied by cultivation, or the cutting of timber was done in good faith for the purpose of clearing the land for farming purposes; *and provided, further,* that not more than one hundred and sixty acres of land can, under any circumstances, be acquired by any person under the provisions of this act, and in case where there are conflicting claims of possession to any quarter section of land, or the subdivisions or portions thereof, the rights thereto shall be decided by the State Land Register in accordance with this act and other laws applicable thereto, and with the principles of equity.

Provisions of this act not to apply to possessors or improvers residing upon the sixteenth sections of lands donated for school purposes.

SEC. 6. *Be it further enacted, etc.,* The provisions of this act shall not be construed to apply to possessors or improvers residing upon the sixteenth section of any lands donated for school purposes; and all provisions of laws inconsistent with this act and the object and purposes contemplated by it are repealed and rescinded so far as they are inconsistent, and no further.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 22.] CONCURRENT RESOLUTION

Instructing the Superintendent of the New Basin Canal and Shell Road to remove the roller-coaster or switch-back railroad constructed on the property of the State adjacent to the New Canal.

Be it resolved by the Senate and House of Representatives of the State of Louisiana, That the superintendent of the New Basin Canal and Shell Road is hereby instructed and directed to remove the roller-coaster or switch-back railroad which now stands on the property of the State, adjacent to the New Canal, at West End, in the city of New Orleans.

Superintendent directed to remove the roller-coaster or switch-back railroad on the property of the State adjacent to the New Canal, at West End, in New Orleans.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

No. 23.] AN ACT

To authorize the State Board of Health of the State of Louisiana to remove the Mississippi Quarantine Station to a point or points lower down on the Mississippi river; to continue in force regulations and provisions of law now governing the present station, and applying them to the new station when established; to provide for the sale of the lands and such buildings and appurtenances of the present station as it may be unfit, unnecessary or impracticable to remove to the new station, and devoting the proceeds (net) thereof to the cost of removal and the erection of the new station and other expenses necessary to the maintenance of the quarantine system; to authorize the procurement or purchase of the land necessary for the new station, with the approval of the Governor, and the erection of the station, buildings, etc.; and to provide for the expropriation of the land, if necessary; to devote all quarantine revenues to the maintenance of the quarantine system; to authorize the Board of Health, in its discretion, to diminish the quarantine charges; to authorize the Board of Health to make all needful additional rules and regulations for the government of the new station; to repeal all previous laws and portions thereof in conflict with the provisions of this act; and to continue in force all existing laws or portions thereof not inconsistent with this act; and to put this act in force from and after its passage.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana, That the Board of Health of the State of Louisiana be and is hereby authorized to remove the Mississippi Quarantine*

Board of Health authorized to remove the Quarantine Station on the Mississippi river, from its present location to some point or points below, where they may see fit, and maintaining in force all rules and regulations now existing relative to the quarantine system.

Station from its present location to such point or points below the present station as the Board of Health may in its discretion select on the Mississippi river, whenever in their judgment the interests of the public health so require; and that all the regulations and provisions of law now relating to and governing the conduct and maintenance of the quarantine system at its present location shall apply to and continue in full force and effect at the site and station to be selected and established in the same manner as they now apply to and are enforced at the existing quarantine station.

Board of Health authorized to sell in the name of the State, at private sale or public auction, to the highest bidder, after due notice, the present quarantine grounds with all its buildings and appurtenances, either in bulk, as a whole, or in such subdivisions as they may think proper, such sale to be approved by the Governor—the net proceeds of such sale to be applied to the removal of the old and erection of a new quarantine station, its buildings and improvements.

SEC. 2. *Be it further enacted, etc.,* That the Board of Health of the State of Louisiana shall have power to sell, in the name of the State of Louisiana, at private sale or public auction, after due advertisement of thirty days in the official paper of the parish of Plaquemines, the official State journal, and in any other public newspaper or journals as the Board of Health may deem proper, to the highest bidder, all and any of the present quarantine grounds, buildings and other property or appurtenances thereunto belonging or appertaining, which the Board of Health may deem unfit, unnecessary or impracticable to remove to the new station; and said sale may be made of all of said ground, buildings and appurtenances in bulk and as a whole, or in such lots, subdivisions or portions, and on such terms, as in the opinion of said Board may best conduce to obtaining the highest price for said property; *provided*, that said sale shall be approved by the Governor of the State of Louisiana; *and provided*, the net proceeds or funds which shall accrue from the sale of the property of the said Mississippi Quarantine Station shall be, by the said Board of Health, devoted solely and exclusively to the removal of the old and erection of the new Quarantine Station, its buildings and appurtenances, and to other expenses necessary to the maintenance of the quarantine system.

Board of Health authorized to erect such new station at such point or points below the present quarantine station as the Board may select—lands for such purpose, how and in what manner acquired and taken possession of.

SEC. 3. *Be it further enacted, etc.,* That the Board of Health of the State of Louisiana be and is hereby authorized to erect said new station at such point or points below the present quarantine station as the said Board may select, and should the lands so selected be lands belonging to the State of Louisiana, then the said lands be and are hereby appropriated to the use of said station, and the proper officers of the State charged with such matters are hereby authorized and directed to issue the necessary patent or land warrants to the Board of Health of the State of Louisiana, through its president and his successors in office; or if the land so selected by the said Board of Health shall belong to the government of the United States, then, and in that event, the Governor of the State of Louisiana is hereby requested and authorized to obtain the use of, or to obtain a lease of, said lands from the proper officers of the United States government, or such authority as may be necessary in the premises, for a term of years for the carrying out of the purposes of this act; or if the lands so selected by the Board of Health of the State of Louisiana be the property of private individuals or corporations, that the Board of Health of the State of Louisiana be and is hereby authorized to purchase in the name of the State of Louisiana the same, for such price and on such terms as may be agreed upon between the said Board of Health and the vendor thereof, sub-

set to the approval of the Governor of the State of Louisiana; and if the lands so selected, being the property of private individuals or corporations, and the said proprietors shall be unwilling to sell amicably and by agreement, as hereinbefore stated, then, and in that event, the Board of Health of the State of Louisiana is and is hereby authorized to proceed in the name of the State of Louisiana to legally expropriate the said property in such manner as may be provided for the expropriation of private property for public purposes; *provided, always, that nothing in this act shall be construed so as to bind the State of Louisiana for any amount of money, or allow the Board of Health to incur any other expense beyond the amount which has been or may be derived from the quarantine revenues or the sale of the property, as hereinbefore provided.*

SEC. 4. *Be it further enacted, etc.,* That all sums of money which may be collected hereafter, or which may be due for past services accruing from the fees for quarantine inspection, disinfection and fumigation, shall constitute a special trust fund, to be known as the "Louisiana Quarantine Trust Fund," to be exclusively applied to the maintenance and support of the quarantine system of the State, and should any amount for any one year or period of years be collected in excess of the quarantine expenses, the Board of Health shall adjust and fix its budget for the ensuing year, to make such *pro rata* decrease and deductions in the rate of charges for inspection and disinfection as shall bring the revenues from the quarantine system within the amount exclusively and absolutely necessary to sustain the quarantine system; and it shall not be lawful to appropriate any sums of money derived from the quarantine charges to any other purpose than the maintenance and support of the quarantine system, and the payment of the salaries and expenses connected herewith, as at present administered.

"Louisiana Quarantine Trust Fund" created, and how made — its application, its adjustment by the Board.

SEC. 5. *Be it further enacted, etc.,* That the Board of Health of the State of Louisiana shall, in its discretion, adopt all necessary rules and regulations to carry into effect the details of this act, and shall be and is hereby authorized to adopt all additional needful rules and regulations for the government of the new quarantine station, when established, in the same manner and with the same full power and authority as is now vested in it for the government of quarantine stations under existing laws.

Board of Health to adopt rules and regulations to carry into effect the provisions of this act, and for the government of the new quarantine station when established.

SEC. 6. *Be it further enacted, etc.,* That all laws or parts of laws in conflict with the provisions of this act are hereby repealed, and all laws or parts of laws *not* in conflict therewith are hereby continued in full force and effect.

Repealing clause.

SEC. 7. *Be it further enacted, etc.,* That this act shall take effect and be in full force from and after its passage.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 24.]

AN ACT

To amend and re-enact Act No. 68 of Acts of 1880, relative to preventing the destruction of fish by poisoning, using dynamite, trapping, hedging or gill-netting, and providing a penalty for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That it shall be unlawful for any person or persons to put any poison or poisonous substance, dynamite or explosive substance of any kind, any trap, gill-net, hedge or any other obstruction in any river, bayou, creek, lake, pond or any stream, water-course or other body of water within the limits of the State of Louisiana, with the intent by the aforesaid means to kill, capture, retard or prevent the free passage of fish during any season of the year; *provided,* this act shall not be so construed as to interfere with trigger traps or other traps placed near the edge of the water only, and which do not retard or prevent the free passage of fish; nor to prevent the construction of temporary works or breaks, during the months of February and March, for the purpose of catching buffalo and carp fish.

Poisoning in any manner any water course within this State, with the intent of killing, capturing, retarding or preventing the free passage of fish, declared to be illegal.

Proviso.

The above declared to be a misdemeanor, to be tried before any court of competent jurisdiction.

Penalty and punishment.

Duty of district judges in relation to this act.

SEC. 2. *Be it further enacted, etc.,* That any violation of this act shall be construed a misdemeanor, and may be tried before any court of competent jurisdiction.

SEC. 3. *Be it further enacted, etc.,* That any person or persons violating this act, on conviction, shall be imprisoned ten days in the parish jail, or fined twenty-five dollars, or both at the discretion of the court.

SEC. 4. *Be it further enacted, etc.,* That it shall be the duty of all district judges to give this law specially in charge of grand jurors.

SEC. 5. *Be it further enacted, etc.,* That all laws in conflict herewith be, and the same are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 25.]

AN ACT

To repeal Act No. 68, entitled an act to authorize the Governor to employ a keeper of records and to fix his salary.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That Act No. 68, approved July 10, 1884, entitled an act to authorize the Governor to employ a keeper of records and to fix his salary, be and the same is hereby repealed.

Repeal of Act No. 68 of 1884, relative to the appointment of a keeper of records, and fixing his salary.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 26.]

AN ACT

To prescribe tax mortgages and privileges, and to regulate the duties of recorders in the cancellation of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That all tax privileges and tax mortgages granted by law to secure the payment of taxes hereafter becoming due, whether State, parish or municipal, shall be prescribed in three years after the thirty-first day of December of the year in which said taxes are assessed; *provided*, that the said prescription shall be interrupted by the pendency of any suit which prevents the collection of said taxes, and the time of such interruption shall be excluded from the computation of the said three years.

Prescription of three years after the 31st of December of the year in which taxes are assessed against tax privileges and mortgages, to secure the payment of taxes becoming due.

Proviso.

SEC. 2. *Be it further enacted, etc.*, That it shall be the duty of the clerks and *ex-officio* recorders and of the Recorder of Mortgages for the parish of Orleans, respectively, on the application of any party in interest who has paid his taxes in full, to cancel and erase all inscriptions of tax privileges and tax mortgages prescribed by the terms of the first section of this act on the payment of ten cents for each cancellation; *provided*, that if the application be made by the tax-payer, or by any party in interest who has paid the said taxes before they become delinquent, the cancellation shall be free to him.

Duty of clerks of court in relation to the cancellation of the mortgages resulting from taxes as provided in the first section of this act.

Proviso.

SEC. 3. *Be it further enacted, etc.*, That all laws contrary to or inconsistent with this act are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor, and President of the Senate.

Approved June 23, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 27.]

AN ACT

Making appeals from Madison parish, Louisiana, appealable to the Supreme Court, returnable to said Court, at the town of Monroe, Louisiana.

Appeals from the parish of Madison shall be made returnable to the Supreme Court, at Monroe, Louisiana, on the first Monday in June in each and every year.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That all appeals from the parish of Madison, Louisiana, to the Supreme Court, shall be made returnable on the first Monday in June, in each and every year, to the Supreme Court at Monroe, Louisiana.

SEC. 2. *Be it further enacted, etc.*, That all laws or parts of laws contrary to or in conflict with this act are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 28.]

JOINT RESOLUTION

Proposing to submit to the electors of this State an amendment to Article one hundred and seventeen of the Constitution of 1879, in relation to the terms of the District Courts (the parish of Orleans excepted).

Proposed amendment to Art. 117 of State Constitution, relative to terms of district courts (except in the parish of Orleans).

SECTION 1. *Be it resolved by the General Assembly of the State of Louisiana, two-thirds of the Members elected to each House concurring therein*. That article one hundred and seventeen of the Constitution of eighteen hundred and seventy-nine, be so amended and re-enacted so as to read as follows, to wit:

Districts composed of one parish to have at least six terms of court.

"Art. 117. In those districts composed of one parish, there shall not be less than six terms of the district court each year.

In all other districts, there shall be not less than one term of court, except in the parishes of Cameron, Franklin and Vernon, in which there shall be two terms of court, to be fixed by a rule of court, and to remain unchanged without public notice.

"In all other districts, there shall be in each parish not less than four terms of the district court each year, except in the parishes of Cameron, Franklin and Vernon, in which there shall not be less than two terms of the district court each year.

Each parish to have at least two jury terms, except in Cameron, Franklin and Vernon.

"Until provided by law, the terms of the district court in each parish shall be fixed by a rule of said court, which shall not be changed without notice by publication at least thirty days prior to such change.

"There shall be in each parish not less than two jury terms each year, at which a grand jury shall be empanelled, except in the parishes of Cameron, Franklin and Vernon, in which there shall not be less than one jury term each year, at which a grand jury shall be empanelled.

General Assembly to provide terms for special juries.

"At other jury terms the General Assembly shall provide for special juries, when necessary for the trial of criminal cases.

SEC. 2. *Be it further resolved, etc.,* That the aforesaid amendment having been read in each house of the General Assembly of this State on three separate days, and with the yeas and nays thereon having been entered in the journal of each house, and adopted by a vote of two-thirds of all the members elected to each house, the Secretary of State shall cause the same to be published in two newspapers published in the parish of Orleans, and in one newspaper in each parish in which a newspaper is published, for three months preceding the next election for representative.

Amendments to be published three months, at least, before the general election.

SEC. 3. *Be it further resolved, etc.,* That at said election the above amendment shall be submitted to the electors for their approval or rejection, in such manner as to enable the electors to vote on each of said amendments separately.

Amendments to be submitted to the electors of this State at the next general election for Representatives.

The ballot shall be received and counted respectively as follows, to wit: "For amendment to Art. 117, relative to the terms of the district courts (the parish of Orleans excepted);" or, "Against amendment to Art. 117, relative to the terms of the district courts (the parish of Orleans excepted)."

SEC. 4. *Be it further resolved, etc.,* That the ballots shall be received and counted, the returns made, and the result proclaimed by the Governor of this State as in case of State officers.

Mode and manner of making returns of election under this act.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 29.]

AN ACT

Declaring the competency of witnesses in criminal proceedings.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the competent witness in all criminal matters, shall be a person of proper understanding; *provided,* that the husband cannot be a witness for or against his wife, nor the wife for or against her husband, except in such cases as is now provided by law.

Qualification of a witness.

Proviso.

SEC. 2. *Be it further enacted, etc.,* That the circumstance of the witness being a party accused, shall in no wise disqualify him from testifying; *provided,* that no one shall be compelled to give evidence against himself; *and provided,* that if the person accused avails himself of this privilege, he shall be subject to all the rules that apply to other witnesses, and may be cross-examined as to all matters concerning which he gives his testimony; *and provided further,* that his failure to testify shall not be construed for or against him; but all testimony shall be weighed and considered according to the general rules of evidence; and the trial judge shall so charge the jury.

Party accused to be a competent witness in his own behalf.

Proviso.

SEC. 3. *Be it further enacted etc.*, That all laws or parts of laws in conflict with this act, be, and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 30.] CONCURRENT RESOLUTION

Relative to the graves of Union soldiers, at Camp Moore, in the parish of Tangipahoa, Louisiana, and requesting our Senators and Representatives in Congress to use all lawful means to secure an appropriation for the purposes herein mentioned.

Preamble.

Whereas, At Camp Moore, in the parish of Tangipahoa, Louisiana, there is a large number of Union soldiers buried with Confederates, whose graves are in a dilapidated and uncared-for condition; and

Whereas, It is the duty, and has been the practice of the Federal government since the close of the late war, to care for the resting place of its soldiers; therefore

Requesting an appropriation of \$1000 from U. S. government for the care of the resting place and graves of Union and Confederate soldiers.

Be it resolved by the House of Representatives of the State of Louisiana, the Senate concurring, That our Senators and Representatives in Congress be, and they are hereby requested, to use all lawful means to secure an appropriation, by Congress, of the sum of one thousand (\$1000) dollars for the purpose indicated in the foregoing preamble, the State of Louisiana having appropriated an equal amount for said purpose.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 23, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 31.] AN ACT

Relative to disturbances of the peace in public streets, on highways, in or near private houses, defining said offense, and providing for the punishment of the same by fine or imprisonment, or both.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That any person who shall go into any public place, into or near any private house, or along any public street or highway near to any private house, and who shall use loud and vociferous or obscene, vulgar or indecent language, or swear or curse, or expose his person, or rudely display or wantonly or maliciously discharge or use any pistol or other deadly weapon in such public place, or upon such public street or highway, or near such private house, in a manner calculated to disturb or alarm the inhabitants thereof, shall, on conviction thereof before any court of competent jurisdiction, be condemned to pay a fine not exceeding fifty dollars, and in default of the same be sentenced to imprisonment for not less than ten days nor more than thirty, or suffer both at the discretion of the court; *provided,* that the provisions of this section shall not be so construed as to divest the recorders' courts of incorporated cities of jurisdiction to summarily try and punish the same acts when prohibited under the police regulations of such cities.

Penalty for disturbing the peace in public places, private houses, using loud and vociferous, obscene, vulgar or indecent language, or swear, or curse, or expose his person in a manner calculated to disturb or alarm the inhabitants thereof.

SEC. 2. *Be it further enacted, etc.,* That the public place, within the meaning of the preceding section, is any public road, street or alley of a town or city, inn, tavern, store, grocery, workshop, or any place to which people commonly resort for purposes of business, recreation or amusement, and places of public worship.

Public place, above referred to, is any public road, street, or alley of a town or city, inn, tavern, store, grocery, or a place where people resort for business, recreation, amusement or public worship.

SEC. 3. *Be it further enacted, etc.,* That if any person shall discharge any gun, pistol or firearms of any description, on or across any public square, street or alley, in any city, town or village in this State, he shall be fined or punished as provided in section 1 of this act; *provided,* that the provisions of this section shall not be so construed as to divest the recorders' courts of incorporated cities of jurisdiction to summarily try and punish the same acts when prohibited under the police regulations of such cities.

Penalty for discharging any firearms in public square, street, or alley of any city or town.

Proviso

SEC. 4. *Be it further enacted, etc.,* That any person who shall run, or be in any way concerned in running, any horse race, or what is known as horse racing, in, along or across any public square, street or alley in any city, town or village, in or along or across any public road within the State, shall be fined upon conviction thereof before any court of competent jurisdiction not more than fifty dollars, and in default of payment thereof, shall be sentenced to not less than ten nor more than thirty days' imprisonment.

Penalty for horse-racing in or along a public square, street or alley, in any city, town or village, or along any public road in this State.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 24, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 32.]

AN ACT

To amend and re-enact section 4, Act No. 7 of the acts of 1877, approved March 21, 1877.

Previso to sec. 4 of Act No. 7 of 1877. SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That section 4 of Act No. 7, of the acts of 1877, be amended and re-enacted to read as follows: Provided the provisions of this act shall not apply to witnesses living within the incorporated limits of the parish seats.

No fees for per diem and mileage allowed to witnesses in criminal cases on preliminary examination.

In preliminary criminal trials for commitment, witnesses shall not be allowed any fees, per diem or mileage.

Witnesses before grand juries to be allowed no fees, and witnesses residing within five miles of the court-house to be allowed no fees.

No witness fees shall be allowed for attendance before grand juries, and in no criminal trial or proceedings shall witnesses, living within five miles of the court-house or place where the court is held, be entitled to fees of mileage and per diem.

Provido.

Provided, each witness subpoenaed upon final trials shall receive per diem, as fixed by law.

SEC. 2. *Be it further enacted, etc.,* That this act shall take effect from and after its promulgation, and that all laws or parts of laws in conflict with this act, be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.
Approved June 24, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 33.]

CONCURRENT RESOLUTION

To amend and re-enact a Concurrent Resolution entitled a "Concurrent Resolution instructing and requiring the Attorney General to institute suit for the forfeiture of the Charter of the Carondelet Canal and Navigation Company," being Concurrent Resolution No. 12, of the Acts of the General Assembly of the year 1886, approved June 8, 1886.

Amendment to Concurrent Resolution No. 12, of 1886, approved June 8, 1886. *Be it resolved by the General Assembly of the State of Louisiana,* That Concurrent Resolution No. 12, of the Acts of the General Assembly of the year 1886, approved June 8, 1886, entitled "Concurrent Resolution instructing and requiring the Attorney General to institute suit for the forfeiture of the Charter of the Carondelet Canal and Navigation Company," be amended and re-enacted so as to read as follows:

Whereas, It appears from the reports of the special Senate and House committees of the State of Louisiana, appointed during the session of 1884, to investigate the affairs of the Carondelet Canal and Navigation Company, that the said company is guilty of repeated and gross violations of its charter, and that the State should obtain possession and control of the said Carondelet Canal and Bayou St. John by any and all fair and legal means within its power; therefore, be it

Preamble.

Resolved by the General Assembly of the State of Louisiana, That the Attorney General be and he is hereby instructed and required to institute legal proceedings without delay, against the said Carondelet Canal and Navigation Company for the forfeiture of its charter, and to bring its property into the possession and control of the State.

Attorney General instructed to institute legal proceedings against the New Orleans Canal and Navigation Co., for the forfeiture of its charter.

Be it further resolved, That should the proceedings for forfeiture herein authorized fail, or be impracticable in the opinion of the Attorney General, then and in that event the Attorney General is hereby instructed to forthwith institute and prosecute all legal proceedings necessary for the expropriation of the property and franchises of said Carondelet Canal and Navigation Company, and to reduce the same to possession and control of the State of Louisiana.

In the event of the failure to obtain the forfeiture of the charter of said company, the Attorney General to prosecute for the expropriation of the property and franchises of said canal, in favor of the State.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 24, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ABROYO,
Secretary of State.

No. 34.]

AN ACT

Removing the parish seat of the parish of Grant from the town of Colfax, to a two-acre square lot in the northwest corner of the southwest quarter of the northeast quarter of section twenty-four, township No. 7 N., range two west, N. R. R. district; and providing for the submission of this act to the electors thereof, at a special election, pursuant to the provisions of article two hundred and fifty of the State Constitution:

Whereas, Due proof has been made that the notice of intention to apply for the passage of this act has been published pursuant to the requirements of article forty-eight of the State Constitution.

Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the parish seat of the parish of Grant be, and is hereby, removed from the town of Colfax, and it is now and hereby established permanently at a two-acre square lot,

Removal of the parish seat of the parish of Grant.

same being in the northwest corner of the southwest quarter of northeast quarter of section 24, in township No. 7 N., of range two west, N. R. R. district.

Police jury to pass ordinances to effect such removal.

SEC. 2. *Be it further enacted, etc.,* That the police jury of the said parish of Grant be, and it is hereby, empowered and authorized to pass all ordinances, and to make all and every provision that may be necessary for carrying out the provisions of this act, as soon as practicable after it shall have taken effect.

This act to be in force after the promulgation of the election for its adoption or rejection.

SEC. 3. *Be it further enacted, etc.,* That this act shall take effect and be in force immediately after the promulgation of the result of the special election hereinafter provided for, at which it will be submitted for adoption or rejection to the electors of said parish of Grant, pursuant to article 250 of the State Constitution; *provided*, the majority of votes cast at such election be in favor of its adoption.

Proviso.

Police jury to order a special election to carry out the provisions of this act.

Proviso.

When and at what time the election shall be held—mode and manner of voting at said election.

SEC. 4. *Be it further enacted, etc.,* That the police jury of the parish of Grant be, and it is hereby, authorized and required to order the holding of a special election at such time as it may fix and determine; *provided*, said election shall be held on or before the time of holding the Congressional election in November next, at which this act shall be submitted for adoption or rejection, to the electors of said parish, pursuant to article 250 of the State Constitution; each elector voting at said election shall cast his vote thereat by using a ticket on which shall be written or printed the words: "For the adoption of the act of the General Assembly removing the parish seat from Colfax to a two-acre square lot in the northwest corner of the southwest quarter of the northeast quarter of section 24, in township No. 7 N., range two west, N. R. R. district," or "against the adoption of the act of the General Assembly removing the parish seat from Colfax to a two-acre square lot in the northwest corner of the southwest quarter of the northeast quarter of section 24, in township No. 7, N. range two west, N. R. R. district;" said election shall be held and conducted pursuant to the provisions of the general election laws of the State, and the result shall be promulgated ten days after the election in the manner provided by said laws.

The election to be held and conducted and returns thereof made.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 26, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 35.]

AN ACT

To prescribe the manner in which special elections shall be held in the parishes, cities and incorporated towns of this State, for the purpose of levying special taxes in aid of railway enterprises and providing for their enforcement and collection; and to carry into effect Article 242 of the Constitution of 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That whenever one-third of the property taxpayers of any parish, city or incorporated town in this State, shall petition the police jury of such parish, or the municipal authorities of such city or incorporated town, to levy a special tax in aid of any railway company or corporation organized under the laws of this State, the said police jury, municipal or town authorities shall order a special election for that purpose, and submit to the property taxpayers of such parish, city or incorporated town the rate of taxation and the purpose for which it is intended; *provided,* that said election be held under the general election laws of this State at that time in force, and at the polling places at which the last preceding general election was held, and not sooner than thirty days after the official publication of the petition and ordinance ordering the election; both of which shall be made in the same manner as provided by law for judicial advertisements.

How and in what manner special taxes in aid of any railway company or corporation, organized under the laws of this State, shall be levied

Providio.

SEC. 2. *Be it further enacted, etc.,* That the petition mentioned in section one of this act shall be in writing, shall designate the railway company or corporation and the percentage of the tax to be levied each year, and the number of years, not exceeding ten, during which it shall be levied. The said petition shall also designate the form of ballots to be used at such election for and against such proposition.

Form of petition required by the above section, term of years during the tax shall be levied, form of ticket to be used at said election.

SEC. 3. *Be it further enacted, etc.,* That said election shall be held in the same manner as provided by law for general elections, and the result thereof shall be announced and promulgated by the president of the police jury of said parish.

Election to be held and conducted as general elections and the result promulgated by the president of the police jury.

SEC. 4. *Be it further enacted, etc.,* That if a majority in numbers and in value of the property taxpayers of such parish, city or incorporated town shall vote in favor of such levy of said special tax, then the police jury for and on behalf of such parish, or the municipal authorities for and on behalf of such city or incorporated town, shall immediately pass an ordinance levying such tax and for such time as may have been specified in the petition, and shall designate the year in which such taxes shall be first levied and collected.

Majority of taxpayers in value of property and in numbers necessary to levy a special tax as contemplated in the first section—police juries then to pass the ordinance.

SEC. 5. *Be it further enacted, etc.,* That non-resident taxpayers shall have the right to vote at said election, if present; and if not present, to vote through an agent or attorney; *provided,* such agent or attorney shall have a written special authority from said non-resident for that purpose.

Right of non-residents to vote at said election, either in person or by proxy.

SEC. 6. *Be it further enacted, etc.,* That the police jury of any parish, or the municipal authorities of any city or incorporated town shall, when the vote is in favor of the levy of such taxes, levy and collect annually, in addition to other taxes, a tax upon all taxable property within such parish, city or incorporated town, sufficient to pay the amount specified to be paid in such petition; and such police jury and authorities, shall have the same power to enforce and collect any special tax that may be authorized by such election, as is or may be conferred by law upon them for the collection of other taxes; which taxes so collected shall from time to time, as the same are collected, be paid to the railway company or corporation named in such petition, or

Power of the police jury, when the ordinance shall be adopted by the taxpayers, to levy and collect annually, in addition to other taxes, a tax upon all taxable property sufficient to pay the amount specified to be paid in the petition.

to any person, partnership or other company or corporation to which the same may have been assigned.

Right of any railway company or corporation to assign and transfer to any person, partnership, corporation or company, to receive the whole or any part of said taxes, and also to enforce the collection of the same. The tax not to be paid to any railway company until the same shall be completed and in operation, as specified in the petition.

SEC. 7. *Be it further enacted, etc.,* That the right to receive the whole or any portion of such taxes may be assigned and transferred by such railway company or corporation to any person, partnership or other company or corporation; and such person, partnership or other company or corporation shall have the same right to enforce the collection and payment of such taxes, as such railway company or corporation would have had if such assignment had not been made; *provided*, that no such tax shall be paid by such parish, city or incorporated town until the railway, in favor of which the same shall have been voted, shall be completed and in operation, to such point in such parish, city or incorporated town as may be specified in the proposition set forth in the petition required in the first section of this act.

SEC. 8. *Be it further enacted, etc.,* That all acts and parts of acts in conflict herewith are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 28, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 36.]

AN ACT

To authorize and require the Register of the State Land Office to transfer to the office of Auditor of Public Accounts all lists of lands acquired by the State, under the provisions of Act 98 of the Acts of 1882.

Register of the State Land Office to transfer to Auditor all lists of land filed in his office under Act No. 98 of 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the Register of the State Land Office is hereby authorized and required to transfer to the office of the Auditor of Public Accounts of the State, all lists of lands which were filed in his office in accordance with the requirements of Act 93 of the Acts of 1882.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 29, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

In relation to sureties upon official bonds of State, parochial or municipal officers, and making provisions in case of death or withdrawal.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the obligations of a surety upon the official bond of any State, parochial or municipal officer, shall terminate six months after his death; and such officer, previous to the expiration of the six months, must substitute a new surety instead of the decedent, or otherwise his office shall be vacated, as in case of resignation.

Limit of obligations as sureties upon official bonds—duty of public officers to substitute new sureties.

SEC. 2. *Be it further enacted, etc.*, That a surety, upon any official bond described in the foregoing section, may withdraw therefrom at any time one year after the execution thereof, by giving notice, in writing, to the officer, principal upon such bond, requiring him, in thirty days, to execute a new bond, whereby a substitution of a surety or sureties in place of the withdrawing surety or sureties, may be legally made, approved and filed, and upon such officer making default in complying with such notice, his office shall become vacant and upon due proof of the default (to the appointing power) being made, as hereinafter provided, such vacancy shall be filled in the same manner that a vacancy may be filled in case of resignation.

Right of surety to withdraw upon official bonds of public officers—form of application for withdrawal—default of such officers to operate as a vacancy in said office.

SEC. 3. *Be it further enacted, etc.*, That the notice to be given by the surety shall have annexed to it a certified copy of the bond, and shall be filed in the office of the clerk of any competent court, and shall be served as citations are required by law to be served at the cost of the applicant, and a certified copy of such notice and of its due service, together with a certificate from either of the officers authorized to approve bonds or to have custody of such bonds after approval, that no new bond has been approved and filed within thirty days after the service of such notice, shall be full proof that the office in question became vacant upon the expiration of the thirty days specified in said notice, and said vacancy shall be forthwith filled as in case of resignation duly accepted.

Proviso.

Form of notice to be given by the surety—manner of serving the same—no new bond to be approved and filed within thirty days after the service of the notice—what will operate a vacancy in the office.

SEC. 4. *Be it further enacted, etc.*, That nothing herein contained shall be held to relieve any surety or his successors from any responsibility upon such bond, for acts or omissions of the principal arising previous to the termination of the obligations of such surety or of his successors as herein provided.

This act not to be construed to relieve any surety or his successors from any responsibility on such bond previous to the termination of his obligation.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNÖBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 29, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,

Secretary of State.

No. 38.] CONCURRENT RESOLUTION

Relative to the erection of a monument to the memory of Ex-President Zachary Taylor, to be located in the city of New Orleans, and requesting the aid of the National Congress.

Therefore be it resolved by the House of Representatives of the State of Louisiana, the Senate concurring, That our Senators and Representatives in Congress are hereby respectfully requested to secure such National legislation as is necessary to explain and equalize the act of July 9, 1848, amended February, 1879, to include all regular and volunteer soldiers, artisans, teamsters and employees of the land forces which served in the war with Mexico; and to direct the Secretary of the Interior to ascertain the unpaid balance properly due under the act so explained and equalized, and after six months' public notice, be authorized to transfer all amounts then due and unpaid to a special fund for the purpose of aiding in the erection of a monument at the city of New Orleans, State of Louisiana, in honor of ex-President Zachary Taylor and the gallant soldiers who fought and won the battles of Palo-Alto and Resaca de la Palma, May 8, and 9, 1846, and to appoint nine officers of the United States Army to act with a like number from each the Louisiana State troops and Louisiana Associated Veterans of the Mexican War, as commissioners in furthering this object, and provide the Louisiana Associated Veterans of the Mexican War, with the names of those killed, wounded or died during the war with Mexico, and for such other aid and information as Congress may, in its wisdom, deem just and proper.

Requesting our Senators and Representatives in Congress to use their exertions in order to obtain from Congress such legislation as will be necessary to explain and equalize the Act of July 19, 1848, amended in 1879, relative to relief to regular and volunteer soldiers, artisans, teamsters and employees of the land forces who served in our war with Mexico, and to obtain the unpaid amounts properly due, to be applied for the erection of a monument in memory of Gen. Zachary Taylor.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved June 29, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:
OSCAR ARROYO,
Secretary of State.

No. 39.] AN ACT

To create the Parish of Acadia, and to provide for the organization thereof.

Due notice having been given as required by Article 48 of the Constitution, as shown by affidavit hereto attached.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That a new parish, in the State of Louisiana, be and the same is hereby created out of the southwestern portion of the parish of St. Landry, to be called and known as the "Parish of Acadia; that said parish of "Acadia" shall be composed of all that territory of the said parish of St. Landry comprised

Creation of the parish of Acadia

within the following boundaries, to wit: All that portion of territory lying and being south and west of a line beginning on the west boundary of St. Landry parish, at its intersection with the township line between townships six (6) and seven (7) south; thence in an easterly direction on township lines between townships six (6) and seven (7) to the northeast corner of section three (3), in township seven (7) south, range two (2) east; thence in a southerly direction on section lines about three (3) miles to the corner common to sections 14, 15, 22 and 23; thence in an easterly direction about four (4) miles to a point in section seventy-nine (79), in township seven (7) south, range three (3) east, when the section lines, if run, would make the corner common to sections 16, 17, 20 and 21; thence in a southerly direction across section seventy-nine (79) and following section lines about six miles to the corner common to sections 16, 17, 20 and 21, in township eight (8) south, range three (3) east; thence in easterly direction between sections 16 and 21, one mile; thence two (2) miles in a southerly direction on section lines between sections 11 and 22, and between sections 27 and 28; thence one mile in an easterly direction to the corner common to sections 26, 27, 34 and 35; thence about two (2) miles in a southerly direction to the division line between "the parishes of Lafayette and St. Landry; thence following the division line, as now established between the parishes of St. Landry and Lafayette, and St. Landry and Vermilion, to the existing boundary between the parishes of St. Landry and Calcasieu; thence on existing west boundary of St. Landry parish to the starting point aforesaid.

Its boundary lines.

SEC. 2. *Be it further enacted, etc.,* That the seat of the parish of Acadia, shall be and remain at a point to be determined upon by an election to be held for that and other purposes, after this act shall have become a law; that the parish of Acadia shall form a part of the Thirteenth Judicial District; that the judge of said district shall hold regular terms of his court for said parish of Acadia at the parish seat, at such times as he may fix in accordance with law; that said parish of Acadia shall form part of the Third Circuit; that said parish of Acadia shall, until otherwise provided, form a part of the Twelfth Senatorial and the Sixth Congressional Districts of this State.

Seat of justice—how determined.

The parish of Acadia to belong to the thirteenth judicial district, to twelfth senatorial district, and to the sixth congressional district.

SEC. 3. *Be it further enacted, etc.,* That in the House of Representatives, until otherwise provided, the parish of St. Landry shall have three (3) Representatives, and the parish of Acadia shall have one (1) Representative.

Three representatives allowed in the General Assembly to the parish of St. Landry, and one to the parish of Acadia.

SEC. 4. *Be it further enacted, etc.,* That within thirty days after this act shall have become a law, it shall be the duty of the Governor to appoint and commission for said parish of Acadia, five police jurors from the parish at large, who shall within ten days after receipt of their commissions, meet at the town of Rayne, in said parish, and proceed to divide the parish into separate wards to be known as justice of the peace and police jury wards; and to designate in each of said wards a place for holding elections for State and parish officers; within thirty days thereafter, the Governor shall appoint a returning officer for said parish of Acadia, and shall order an election for all parish and ward officers according to law; that said police

Police jurors to be appointed by the Governor for the parish of Acadia—their duties and powers.

jury shall, in due time, make the necessary arrangements to provide the requisite public buildings, lots and offices, and the seals, books and appurtenances for the said parish of Acadia and the officers thereof; that the powers and duties of said police jurors herein provided for, shall be the same as other like officers throughout the State.

Duties of clerk of district court of the parish of St. Landry, after the organization of the parish of Acadia, in the transmission of records and papers in civil and criminal cases—fees and costs for the same.

SEC. 5. *Be it further enacted, etc.,* That immediately after the organization of the parish of Acadia and the election and qualification of its officers, it shall be the duty of the clerk of the District Court and *ex-officio* recorder of the parish of St. Landry to transmit to the clerk of the District Court and *ex officio* recorder of the parish of Acadia, all petitions, answers and other documents and papers appertaining to suits wherein the defendant or defendants reside within the parish of its organization, and also a certificate copy of all orders made in any suits which are entered on the minutes of the court; and the fees allowed him for making a copy of such minutes shall be ten cents for every hundred (100) words, and twenty cents for each certificate, with seal attached; the same to be charged as costs in the case; and he shall also transmit to the clerk of the District Court of the parish of Acadia all criminal proceedings against persons charged with an offense or offenses alleged to have been committed in said parish of Acadia, and he shall also transmit to the clerk of the District Court for the parish of Acadia, all petitions, orders, bonds and other papers relating to successions heretofore opened in the parish of St. Landry, which may be unsettled and in course of administration, when the deceased resided in that portion of the parish of St. Landry now embraced in the limits of the territory of the parish of Acadia by this act; and he shall transmit also to the clerk of the District Court of Acadia parish all papers relating to the tutorship of minors when they, or a majority of them, reside in the parish Acadia, that all matters civil and criminal so transferred shall be proceeded with in said parish of Acadia, as if they had originated therein.

Duties of clerk of district court, *ex officio* recorder of the parish of St. Landry, in transmission of acts, mortgages, deeds, etc.

SEC. 6. *Be it further enacted, etc.,* That as soon as possible after the organization of the parish of Acadia, it shall be the duty of the clerk of the district court, and *ex-officio* recorder of the parish of St. Landry, to make a true and correct transcript, in a well-bound book or books, to be furnished by the police jury of the parish of Acadia, in the order of dates as recorded in his office, after the adoption of this act, of all acts, mortgages, deeds, and title papers of record in said office, relative to and affecting landed property situated within the limits of the parish of Acadia, accompanied by the certificate and seal of said clerk affixed at the end of each book; that when so completed, the clerk of the parish of St. Landry shall immediately transmit said book or books to the clerk of the parish of Acadia, together with all the original acts, deeds, mortgages and title papers on file in his office, from which said transcript shall have been made; that the fees allowed said clerk of the parish of St. Landry for said transcript shall be six cents for every hundred words, and one dollar for his certificate and seal in each book; and that said fees and the actual expenses incurred by said clerk in the transmission of papers and documents to the parish of Acadia, shall be paid by the treasurer of the parish of Acadia, on the warrant of the president of the po-

ice jury, when he is satisfied that the services have been performed and the fees legally charged, a specific account of which shall accompany each warrant and be sworn to by said clerk as correct.

SEC. 7. *Be it further enacted, etc.,* That no judgment, lien or privilege, or mortgages upon any property within the parish of Acadia, shall lose the effect of its inscription by reason of the creation of the parish of Acadia by this act, if the same has been legally inscribed in the parish of St. Landry in such manner as to bind such property at the date of its inscription, and which is void for no other reason or legal cause, and the certificate of the proper officer of the parish of St. Landry relative to said property shall be received in all cases where such certificate is required by law.

Judgment, lien or privilege, or mortgage upon property in the parish of Acadia, not to lose the effect of its inscription by reason of the creation of the parish of Acadia.

SEC. 8. *Be it further enacted, etc.,* That immediately after the organization of the parish of Acadia, it shall be the duty of the sheriff, and *ex-officio* tax collector of the parish of St. Landry, to transmit to the sheriff and *ex officio* collector of taxes of the parish of Acadia, a list of all unpaid taxes assessed upon property within the limits of the parish of Acadia, and the sheriff of the parish of Acadia shall collect all such taxes and pay over the parish tax to the parish treasurer, and the State tax to the State Treasurer; and for any expense incurred by the sheriff of St. Landry in the performance of the service required by this act, he shall be repaid the amount which he may have actually expended, and no more; said amount to be paid by the treasurer of the parish of Acadia, on the warrant of the president of the police jury.

Duties of sheriff, *ex officio* tax collector of the parish of St. Landry, upon the organization of the parish of Acadia.

SEC. 9. *Be it further enacted, etc.,* That the school fund of the said parish of Acadia shall be provided in the same manner as for other parishes of the State.

Provision of the school fund for the parish of Acadia.

SEC. 10. *Be it further enacted, etc.,* That the creation of the parish of Acadia shall in no wise impair the obligation of the people or property thereof, in favor of the public creditors of the parish of St. Landry as heretofore constituted; but the parish of Acadia shall assume prorata the portion of the public debt due at the time this act shall become a law, by that part of the parish of St. Landry as heretofore constituted, which is embraced in the territorial limits of the parish of Acadia; and the balance of said debt shall be assumed by the parish of St. Landry.

Creation of parish of Acadia not to impair the obligation of the people or property thereof in favor of the creditors of the parish of St. Landry, as heretofore constituted.

SEC. 11. *Be it further enacted, etc.,* That it shall be the duty of the police jury of the parish of Acadia immediately after their first meeting, as provided in section 4 of this act, and of the police jury of the parish of St. Landry, at a meeting to be held by them within thirty days after this act shall have become a law, to select and agree upon three commissioners for each parish, who shall be residents, voters and real estate owners in their respective parishes, whose duty it shall be to convene in the town of Opelousas, in the parish of St. Landry, on a day to be fixed by the judge of the Thirteenth Judicial District, within twenty days after the appointment of the commissioners, who shall give to said commissioners due notice thereof; and at said meeting said commissioners shall proceed to ascertain the amount of indebtedness of the parish of St. Landry immediately

Commissioners to be appointed by the police juries of the parishes of St. Landry and Acadia respectively—their duties and powers in regard to the indebtedness of the parish of St. Landry prior to the passage of this act.

preceding the adoption of this act, and to apportion to the parish of Acadia and to the parish of St. Landry the apportionment and proportion of said indebtedness due from each parish respectively, which amount shall be determined by said commissioners, and shall be in proportion to the relative value of the taxable property in each of said parishes, after having ascertained the amount of said indebtedness and made the said apportionment, said commissioners shall report the same to the police juries in both parishes; and said police juries shall each immediately proceed in their respective parishes to make suitable provisions for the payment of their proportion of said indebtedness, under such regulations as they may adopt. Should said commissioners, in the performance of the duties prescribed in this section, fail to agree, and be unable to settle such disagreement among themselves, they shall be empowered to elect by unanimous consent, another person, a resident of either one of said parishes, an owner of real estate, who shall act as umpire in the settlement of the said disagreement. Should either of said commissioners herein designated, decline to serve, then and in that event the two remaining commissioners representing the parish of the commissioner so declining, shall be empowered to elect another resident of said parish, an owner of real estate, who shall serve in his stead.

Registration of the parish of St. Landry to be ordered by the Governor of the legal voters of the parish—election to take the sense of the people relative to the creation of the parish of Acadia—duties of the commissioners of election—form and manner of voting at said election—returns and manner of promulgating its result.

SEC. 12. *Be it further enacted, etc.,* That immediately after the passage of this act by the General Assembly, it shall be the duty of the Governor to direct the proper officer of St. Landry parish to procure a registration of the legal voters of the parish of St. Landry, said registration to continue for at least sixty days; that immediately after said registration an election shall be held by the legal voters of the parish of St. Landry for the purpose of taking the sense of the people of said parish in regard to the creation of the new parish of Acadia; and it shall be the duty of the commissioners of election to receive the votes of all persons entitled to vote by reason of sufficient residence in said parish as required by law; and that at said election all who shall be in favor of the creation of the new parish shall deposit a ballot "For the creation of the Parish of Acadia;" and all who are opposed shall deposit a ballot, "Against the creation of the Parish of Acadia." And the returns of said election shall be made and promulgated as now required by law in other elections; and if a majority of the votes cast at said election shall be in favor of the creation of the said parish of Acadia, the Governor shall issue his proclamation declaring that the said parish has been created, and the creation of said parish shall date from the time of said proclamation.

SEC. 13. *Be it further enacted, etc.,* That all laws or parts of laws contrary to the provisions of this act, be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 30, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 40.]

AN ACT

To amend and re-enact section 2503 of the Revised Statutes of Louisiana, relative to the appointment of notaries public.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That section 2503 of the Revised Statutes of Louisiana be and the same is hereby amended and re-enacted so as to read as follows: Any male citizen of the State may be appointed a notary public in and for the parish in which he resides, upon giving bond, with good and solvent security, in the sum of five thousand dollars for the parish of Orleans, and one thousand dollars for the other parishes of the State, conditioned for the faithful performance of all duties required by law toward all persons who may employ him in his profession of notary; and after being examined by any judge of the Supreme Court, Circuit or District Court of the State, and after having received a certificate of having been found competent on such examination, to exercise the profession of notary public.

Qualifications of a notary public—bond to be given by him—examination by a judge of the supreme, circuit or district court.

SEC. 2. *Be it further enacted, etc.*, That all laws and parts of laws in conflict with this act are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 30, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 41.]

AN ACT

Making an appropriation to pay the expenses of the impeachment trial of Theodore Fontelieu, and providing for the manner in which said expenses shall be paid.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the sum of three thousand five hundred dollars be and the same is hereby appropriated of the General Fund of the year 1885, to be paid out of any moneys in the treasury to the credit of said fund not otherwise appropriated, to pay the mileage and per diem of witnesses, the fees and costs due the sergeant-at-arms and clerk of the Senate, to pay for the services of a short-hand reporter, printing the journal of the court of impeachment, and to pay the other necessary expenses of said court in said trial.

\$3500 appropriated to pay the mileage and per diem of witnesses, fees and costs of sergeant-at-arms and clerk of the Senate, and other expenses of the court of the impeachment trial of Theodore Fontelieu.

SEC. 2. *Be it further enacted, etc.*, That the State Treasurer shall, immediately upon the passage of this act, set aside the said sum of three thousand five hundred dollars as a special fund, out of any moneys in the treasury to the credit of the General Fund, and in preference to any other appropriations made up to the date of the passage of this act, out of the General Fund of

Duty of the State Treasurer in relation to said appropriation.

1885; and the State Treasurer shall pay all warrants issued and signed by the President of the Senate for the payment of such costs and fees out of said special fund in the order in which they are issued.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved June 30, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 42.] CONCURRENT RESOLUTION,

Authorizing the Register of the State Land Office to revise the records of his office.

Preamble.

Whereas, The Register of the State Land Office, in his biennial report, calls the attention of the General Assembly to the fact that many homestead entries encumber the records of his office, where parties have failed to make proof, as required under the Homestead Act and act of settlement and cultivation; and

Whereas, Such lands are lost to the State, as they cannot be disposed of under the law; therefore

Revision of the records of the land office to be made by the register — authority to annul certain entries and to restore certain lands for sale.

Be it resolved by the House of Representatives of the State of Louisiana, the Senate concurring, That the Register be and he is hereby authorized to revise the records and cancel all entries of this character, and thus restore to the records all such lands, and enable the State to derive the benefit of their sale, from which it is now debarred.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 1, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

To regulate the employment of children, young persons and women in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That no boy under the age of twelve years, and no girl under the age of fourteen years, shall be employed in any factory, warehouse or workshop where the manufacture of any goods whatever is carried on, or where any goods are prepared for manufacturing.

Boys under twelve years and girls under fourteen years, prohibited from working in any warehouse or workshop manufacturing any goods whatever, or where goods are prepared for manufacture.

SEC. 2. *Be it enacted, etc.,* That no child under the age of fourteen years shall be employed by any person to labor in any factory, warehouse, workshop, clothing, dressmaking or millinery establishment, or where any goods are manufactured or prepared for manufacturing, or attend itinerant musicians through the streets of any town or city within this State, unless such child shall have attended some public or private day school, where instruction was given by a teacher qualified to instruct in such branches as are usually taught in primary schools, at least four months of the twelve months next preceding the month in which such child shall be so employed; *provided,* that a certificate of such attendance from the director of the school district or principal of public or private school in which such child shall have so attended school, shall be evidence of a compliance with the provisions of this section, if acted upon by the employer in good faith. If any such director or principal shall knowingly make a false certificate, he shall be deemed guilty of a violation of this act, and shall be liable to the punishment hereinafter provided.

Child under fourteen years prohibited from working in any factory, warehouse, workshop, shop, clothing, dress making or millinery establishment, or where goods are manufactured or prepared for manufacture—condition—proviso—certificate previous to obtaining employment.

SEC. 3. *Be it enacted, etc.,* That certificates given under the preceding section shall be deposited by the employer at the time of employing such child, and shall be kept by him on file in his office, and shall at all times be subject to inspection by the persons authorized to make inspections under this act.

Certificates—where deposited.

SEC. 4. *Be it enacted, etc.,* That no child, or young person under the age of eighteen years, and no woman, shall be employed in any factory, warehouse, workshop, clothing, dressmaking or millinery establishment, or any place where the manufacture of any kind of goods is carried on, or where any goods are prepared for manufacturing, for a longer period than an average of ten hours in a day, or sixty hours in any week, and at least one hour shall be allowed in the labor period of each day for dinner.

Ten hours work per pay required from any child or young woman under eighteen years, and woman employed in any factory.

SEC. 5. *Be it enacted, etc.,* That every person who shall employ any female in any factory, warehouse, workshop or store, shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

Provision for the employment of females in any factory, warehouse, workshop or store.

SEC. 6. *Be it enacted, etc.,* That any person who shall violate any of the provisions of this act shall be deemed to be guilty of an offense for each violation thereof, and, upon conviction for the same, shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the parish jail (parish prison in New Orleans) not more than thirty days, or both, in the discretion of the court.

Penalty for violating the provisions of this act.

Provisions for the faithful execution of this act.

SEC. 7. *Be it enacted, etc.,* That in all cities it shall be the duty of the superintendent or the chief officer of police, by suitable inspections, to see that the regulations of this act are observed, and also to prosecute all persons who shall violate the same. Such superintendent or chief officer of police shall detail such portion of the force under him as he shall deem necessary for the inspection, from time to time, of all the aforesaid places where such children or young persons may be employed. In towns, the mayor thereof shall perform the duties above imposed on the superintendent or chief officer of police in cities.

Fines imposed by this act to be applied to the school fund of the parish where the fines are collected.

SEC. 8. *Be it enacted, etc.,* That all fines collected through this act be paid over to the School Fund in the parish where the fines are collected.

Definition of the word "person."

SEC. 9. *Be it enacted, etc.,* That the word "person," wherever used in this act, shall be deemed to mean corporations, as well as individuals.

SEC. 10. *Be it further enacted, etc.,* That this act take effect from and after January 1, 1887. Nothing contained in this act shall be construed to apply to domestic or agricultural laborers or industries.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 1, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 44.]

AN ACT

To repeal that portion of Act 33 of the Acts of 1879, creating the Fifth Levee District and to create a new district to be known and styled "The Fifth Louisiana Levee District;" to define the limits of said district and specify the property subject to taxation, local assessment and contribution; to provide for appointment of commissioners, the qualifications, mode of removal and filling vacancies, and salaries of commissioners and officers; to constitute said commissioners as a levee board, styled, "The Board of Commissioners for the Fifth Louisiana Levee District;" to make said board a body politic, invested with corporate powers and having a corporate seal; to fix the mode, time and place of meetings; to designate a quorum for the transaction of business; to provide for the organization and government of said board; to define its duties, powers and prohibitions; to regulate legal proceedings by and against said board and to fix its domicile; to require a record of its proceedings to be kept and published; to provide a mode of certifying to the copies of said records and to establish their admissibility and

weight as evidence; to require said board to prescribe rules and regulations for the construction and maintenance of levees and to establish a comprehensive levee system extending from the mouth of Red river along the Mississippi river up to the Arkansas line at Ashton, and thence west, along the northern boundary of said levee district to Bayou Macon Hills, for the purpose of permanently securing the entire district from destructive floods; to prescribe the duties of the State Engineers in relation to said board; to provide a revenue for levee purposes; to levy a five mill district tax, pursuant to Article 214 of the Constitution, and prescribe the duties of assessors, tax collectors, Auditor and State Treasurer in reference thereto; to authorize the board, under certain circumstances, to levy a special assessment or contribution on lands to be protected by said levees and providing for its collection. Also to levy a special assessment or contribution on cotton produced on such lands in the district and regulate its collection; to prevent the evasion of the tax and fix a penalty therefor; to grant certain lands for levee purposes and prescribe the duty of the Auditor in relation thereto; to exempt said lands from taxation until sold by the board; to authorize the board to mortgage and sell said lands and apply the proceeds for levee purposes; to authorize the board to issue and negotiate its bonds; to provide the mode of issuing, securing and paying same, for enforcing payment in case of default; to authorize the board to buy, to sell, to make contracts for building, repairing and maintaining levees, and to pay for same in bonds or otherwise; to fix proportion of General Engineer Fund to be allotted to said district and prescribe duty of Board of Engineers in reference thereto; to provide for the care and police of levees and authorize board to appoint inspectors and watchmen, and in certain cases, to call out road hands to work on levees; to provide compensation therefor; to provide penalty for neglect of hands to serve; to provide the mode of depositing, keeping and disbursing all funds of the board; to specify by whom and in what manner warrants shall be drawn against said funds; to define misappropriation of funds and property of board by president, commissioner or officer, and provide a penalty therefor; to put this act in force, repeal all laws in conflict therewith and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That that portion of Act 33 of the Acts of 1879, creating the Fifth Levee District, be repealed, and in lieu thereof be enacted as follows:

Portion of Act No. 33 of 1879, creating Fifth Levee District repealed.

That all the lands in the parishes of East Carroll, Madison, Tensas and Concordia shall be embraced in the limits of a levee district to be known and styled "The Fifth Louisiana Levee District," and all the lands, and all other property of every description whatsoever upon said lands, shall be subject to taxation, local assessment and forced contribution, for the purpose of raising funds to construct and maintain levees in said district, and thoroughly protect the lands thereof from destructive floods.

East Carroll, Madison, Tensas and Concordia shall form Fifth Levee District—lands situated therein to be subject to taxation for levee purposes.

Board of levee commissioners to be appointed by the Governor—their qualification—term of office—their powers.

SEC. 2. *Be it further enacted, etc.,* That it shall be the duty of the Governor to appoint two competent persons possessing the requisites of qualified electors for each of the parishes embraced in said levee district, to serve as levee commissioners for their respective parishes, and they shall hold office during the term of the Executive appointing them, and thereafter until their successors are appointed, qualified and inducted into office. Said commissioners shall constitute a board styled "Board of Commissioners for the Fifth Louisiana Levee District," and they shall have supervision of the location, erection, repairs and maintenance of levees in said district, pursuant to Article 214 of the Constitution.

Duties and powers of the board of levee commissioners.

SEC. 3. *Be it further enacted, etc.,* That said commissioners, after having been duly appointed and qualified, shall convene and hold their first meeting at Delta, in the parish of Madison, on the second day of August, 1886. A majority of said commissioners shall constitute a quorum for the transaction of all business; they shall organize by electing from their own number a president, and they shall appoint a secretary and fix his salary; they shall designate the time and select the place for holding their regular sessions, and may be convened at any time upon call of their president, or upon call of four of the commissioners. In case of death or resignation of the president, the secretary shall call the board together to fill the vacancy; in case of the absence, inability or failure to act of the president, the board shall appoint one of their number chairman, who shall perform all the duties of president; in case of neglect of duty by any commissioner, or of his failure without good cause to attend regular meetings for three times successively, it shall be the duty of the Governor, on request of the board, to remove such commissioner and appoint his successor. The commissioners shall receive a salary of four dollars per day each during the period they are in actual attendance upon the board, and ten cents a mile going and coming, to be paid out of the funds of the levee district on the warrant of the president, attested by the secretary, and a like salary shall be paid for each day the president and other commissioners shall serve in supervising the location, construction and repairs of levees, as may be provided by said board.

To designate time and place for their meetings—neglect and failure to perform their duties—their compensation.

By laws and regulations to be adopted by the board.

SEC. 4. *Be it further enacted, etc.,* That said board shall adopt by-laws for their own government and for the government of their employees; they shall devise and adopt rules and regulations for a comprehensive levee system, having for its object the ultimate protection of the entire district from overflow; they shall keep a record of their proceedings, which shall be published after each meeting in a journal in one of the parishes of the levee district, to be selected by them. It shall be the duty of the board, at each regular session, to examine all accounts and operations of the board and determine what work shall be undertaken; *provided*, that all work shall be advertised to be let out by means of sealed proposals to the lowest responsible bidder, reserving to the board authority to reject all bids; that in case of emergency, the board shall have authority to make contracts for the building of all levees, without advertisement and sealed proposals; they shall use all means at their command to strengthen, repair or construct any portion of the levees that may demand immedi-

Their meetings—their powers as to work to be undertaken on the levees within said district.

Proviso.

the attention; they shall appoint inspectors, with the authority to employ guards on the levees during the period of high water; and generally, the board shall do all things necessary to attain the objects contemplated by this act.

SEC. 5. *Be it further enacted, etc.,* That it shall be the duty of the State Board of Engineers to designate one of their members to attend each meeting of the levee board, and to report to and advise with them as to the location, construction and repairs of all levees necessary to protect the entire levee district from destructive floods; that the State Board of Engineers shall locate all levees, furnish estimates and specifications, and perform all engineering work required of them by the levee board.

Board of State Engineers to appoint one of their members to advise with the board of commissioners in relation to the location, construction, and repairs of the levees within said district.

SEC. 6. *Be it further enacted, etc.,* That the board shall be invested with the control of all public levees in the district, with authority to require the State engineers to lay off, furnish estimates and perform all engineering work necessary to the location, construction and repairs of levees, reserving, however, the right of the parishes in which the levees are located, also to provide funds and to construct and repair levees and exercise the powers now confided to them by law. That the said board may require the State engineers to lay off a cross levee near the northern boundary of said levee district, and may proceed to construct said levee beginning at Ashton, in the parish of East Carroll, and extending in a westerly direction to Bayou Macon Hills, in the parish of West Carroll; *provided, however,* that the channel of Bayou Macon shall be left open and not closed, the ends of the levees approaching either bank of said stream to be secured and the channels protected from enlarging by mattresses, jetty work, or such other devices and methods as the State engineers shall adopt in supervising the construction thereof; and the levees along the Mississippi river, from the mouth of Red river, may be strengthened, repaired and rebuilt as far up as Ashton, where said levee may join said cross levee, in order thoroughly to protect said district from destructive floods.

Board invested with the control of all the levees within said district—their powers relative to certain levees to be made.

SEC. 7. *Be it further enacted, etc.,* That said board of commissioners shall, in addition to the powers herein conferred, be constituted a body politic or a political corporation, invested with the powers inherent in said corporations; they shall have authority to sue and be sued under the style of "Board of Commissioners for the Fifth Louisiana Levee District," and all process against said corporation shall be served on the president, and all suits in behalf of the board shall be brought by the president. The domicile of the board for the purpose of instituting suits against it shall be fixed in the parish in which they shall hold their regular meetings, and it shall be brought into court by service made upon the president; they shall have authority to buy and sell property, to make and execute all contracts, and do and perform all things necessary to carry out the objects of this act subject to the limitations and duties herein provided. They shall have a corporate seal, and copies of all the regulations and records of proceedings of said board certified to by their secretary, under their corporate seal, shall be received in all courts as *prima facie* evidence of the acts and proceedings of said board. All funds of said board shall be deposited with the State Treasurer to the credit of said district,

Proviso.

Incorporation of said board as a body politic—its authority—its power—its domicile—a seal to be adopted by them—where its funds shall be deposited, and in what manner the same shall be drawn.

and all warrants drawn thereon by the president of said board shall specify the indebtedness said warrants are intended to liquidate, in part or in whole, and said funds shall not be drawn from the treasury except on the warrants of the president or chairman of said board while acting as president.

Five mills tax annually assessed by the board on all the property of said district—duty of the assessors in assessing said tax—settlement to be made with the Auditor and State Treasurer—the same to be kept in a separate fund—how drawn.

SEC. 8. *Be it further enacted, etc.,* That for the purpose of providing a revenue to carry out the objects contemplated by this act, a district levee tax, on all taxable property in the said levee district, of five mills on the dollar, of its assessed valuation, be and the same is hereby assessed annually, pursuant to Article 214 of the Constitution; and it shall be the duty of the assessors to extend said tax on the tax rolls, and the tax collector of the respective parishes to collect said district levee tax in the same manner that State taxes are collected, and to settle therefor with the Auditor and State Treasurer; and said funds shall be kept in a separate account to the credit of the "Fifth Louisiana Levee District," and the same shall be paid out on the warrants of the president of said board, attested or countersigned by the secretary.

Authority upon the board to levy a local assessment or forced contribution of five cents on each acre of land within said district, to be assessed and collected in the same manner as other taxes.

SEC. 9. *Be it further enacted, etc.,* That said levee board shall have authority to levy annually a local assessment or forced contribution of five cents on each and every acre of land within the Fifth Louisiana Levee District, which shall be placed upon the assessment rolls of the respective parishes of said district, and shall be collected in the same manner and paid into the State Treasury as hereinbefore provided for the district levee tax of five mills; and said funds shall, by the Treasurer, be put to the credit of the Fifth Louisiana Levee District, and shall be paid out on the warrants of the president of the levee board, issued for the construction and repair of levees and for the purpose hereinafter provided. That nothing in this act shall deprive this district of its share of the General Engineer Fund, and that all taxes hereafter collected upon the rolls of the Fifth Levee District, as now existing, shall be transferred to the credit of the Fifth Louisiana Levee District, and that all outstanding warrants against the Fifth District Levee Fund shall be paid from the funds of the Fifth Louisiana Levee District.

If funds provided by this act are not adequate for the purposes herein contained, the board shall have the right to levy a special tax and contribution not to exceed fifty cents on every bale of cotton produced in said district—penalty for neglect or refusal to pass said tax.

SEC. 10. *Be it further enacted, etc.,* That in case the said board shall deem the funds heretofore provided for, in this act, inadequate to locate, construct and repair levees, so as to prevent disastrous floods, the said board shall have authority to levy a special assessment or forced contribution, not to exceed fifty cents per bale on each and every bale of cotton produced in the district upon lands subject to taxation under the provisions of this act; the same shall be collected by the sheriff of each parish, in such manner and under such regulations as the board may direct; but in all cases it shall be collected before the cotton is removed from the respective parishes. Any person who shall evade the payment of this local assessment or contribution, or shall aid and abet therein shall be guilty of a misdemeanor, and shall, on conviction, before any court of competent jurisdiction, be fined not less than ten nor more than twenty dollars per bale for each and every bale upon which the said assessment has been evaded; one-half the fine shall go to the

former, and the other half shall be paid in the State Treasury on account of the "Fifth Louisiana Levee District."

SEC. 11. *Be it further enacted, etc.,* That in order to provide additional means to carry out the purposes of this act, and to furnish resources to enable said board to establish and complete a thorough system of levees and to protect the lands of the "Fifth Louisiana Levee District" from disastrous floods, all lands belonging to the State of Louisiana, embraced in the original grants by Congress to the State for levee and drainage purposes that are located in the parishes of the "Fifth Louisiana Levee District" and subject to overflows be, and the same are hereby granted to said board of commissioners; also, all lands forfeited or sold to the State for non-payment of taxes, situated in said district and liable to overflows be, and the same are hereby granted to said board of commissioners, where the period for redemption has expired, and as soon as the period for redemption shall hereafter have expired. A list of said lands in the respective parishes of said district shall be made out by the Auditor and certified to, and shall be furnished to the president of said board, and when said lists shall have been recorded in the recorder's office of the respective parishes the title of the State shall absolutely vest in said board. That said lands shall be exempted from taxation during the period they shall remain unsold by said board. That said board shall have authority to mortgage, pledge and sell such lands, and otherwise dispose of them, in such manner as they may provide, in order to raise funds to locate, construct and repair the levees and reclaim said lands from overflows, said lands being now considered almost valueless in consequence of their exposure to annual overflows; and when they shall sell said lands either at public or private sale; the proceeds of the sale shall be deposited to the credit of the "Fifth Louisiana Levee District" in the State Treasury, and they shall be drawn out only upon the warrants of the president of said board for the purposes provided in this act.

Board authorized to establish a system of levees, and to tax the lands therein to protect the levees from overflow.

Authority to said board to mortgage, pledge or sell lands to raise funds to locate, repair or construct levees.

SEC. 12. *Be it further enacted, etc.,* That the said board shall have power to borrow money for the purpose of building and repairing levees of the said district and of carrying into effect the objects of this act, and to that end may issue the bonds of the said board to the amount of five hundred thousand dollars, in such sums and denominations as the said board may prescribe, not less than five hundred dollars each; which bonds shall be registered bonds or made payable to bearer, as may be preferred, and shall be made payable in not less than ten nor more than twenty years, and shall be designated as "10-20 bonds," that is, at the discretion of said board all of said bonds shall, on notice filed with trustee one year in advance, be redeemable or payable at the end of ten years; but it shall be the duty of said board, should it elect to not so pay all of said bonds at the end of ten years, then to create a sinking fund for the payment of the principal of said bonds by annually appropriating from the revenues as herein provided, a sum not less than fifty thousand dollars annually, which shall, as soon as so paid in, be applied annually, *pro tanto*, to the payment of said bonds, commencing with No. 1 and paying them consecutively. The intent of this latter provision is after ten years to annually pay not less than fifty thou-

Power to the board to borrow money for the purpose of building or repairing levees and for that purpose to issue bonds.

sand dollars, and reserving unto the board the privilege, by notice filed six months previously with the trustees, to pay a greater sum. Said bonds shall be coupon bonds, bearing interest at a rate not greater than six per cent per annum, payable at such times as the board may provide, and the place of payment of the principal and interest shall be fixed by the said board and the said bonds may be sold or negotiated in any market *provided*, that in no case shall any of said bonds be sold or negotiated at a rate of discount exceeding ten per cent, and the money arising from same shall be paid into the State Treasury to the credit of the account of the Board of Commissioners for the Fifth Louisiana Levee District, and only paid out on the warrant of the president, countersigned by the secretary, and said board, in its discretion, instead of selling said bonds, may use the same in payment of any contract for work and labor done, or material purchased in behalf of said levees; but all contracts shall be at cash rate, and said bonds shall be used at a discount not to exceed ten per cent.

Previous.

For mill tax levied annually in this Act to be applied to pay the interest of said bonds.

SEC. 13. *Be it further enacted, etc.*, That the five mill tax levied annually in this act be and the same is hereby pledged to pay, by preference, the interest on said bonds as the same may accrue; and to that end, after said bonds shall have been issued and negotiated, or sold, a sufficient amount of said funds to pay all accruing interest for each year shall be set aside annually, in the State Treasury, and shall not be drawn out except to pay said interest; and after ten years from the execution of said bonds, any excess of said five mills district tax, after paying accruing interest on said bonds, shall constitute a sinking fund and shall not be drawn out of the State Treasury for any other purpose than to pay the principal of said bonds; and if said amount shall be less than fifty thousand dollars, then said board shall, from the other revenue hereinbefore provided, make up deficiency, by preference over all other claims, so that said sinking fund shall amount to not less than fifty thousand dollars annually, and the same shall be paid annually in discharge of the principal of said bonds as hereinbefore provided.

[Officers of the board to collect and pay over punctually the principal and interest therein provided for.

SEC. 14. *Be it further enacted, etc.*, That it shall be the duty of said board and all officers charged with the collection and disbursement of said five mills tax, to collect said tax and to disburse the same as hereinbefore provided; and they shall collect and apply, pursuant to the provisions of this act, such other revenues as may be necessary to pay in full the principal and interest as hereinbefore provided; and the authority herein granted to said board to provide for the payment of the principal and interest of said bonds shall be irrevocable, and shall continue in force until said bonds shall all have been paid, and this provision shall be declared a contract in favor of the holder or holders of said bonds.

Penalty for the failure and neglect on the part of any officer charged with the duty of collecting and disbursing the revenues under this act.

SEC. 15. *Be it further enacted, etc.*, That should any officer charged with the duty of collecting or disbursing revenues, under the provisions of this act, fail, neglect or refuse to perform the duties devolving on him under this act, then said board or any holder of bonds, issued under this, may apply and obtain from any judge of a court of competent jurisdiction a

mandamus in order to compel such delinquent officer to proceed and discharge his duties pursuant to the provisions of this act.

SEC. 16. *Be it further enacted, etc.,* That said board shall have authority to contract for the building of said cross-levee, beginning at Ashtou and extending west along the northern limits of said district to Bayou Macon Hill, in such manner as may be located by the State Engineers, under the direction of said board, and in payment of the contractors for building said levee the said board may issue to them bonds as hereinbefore provided either in whole or in part payment for the construction of said levee; *provided*, however, that the price per cubic yard shall be estimated as for ready cash and the contractors shall consent to receive said bonds in settlement at such discount as may be agreed on, not to exceed ten per cent below their face value and in like manner said board shall have authority to issue and use said bonds in settling with contractors for the erection or repairs of levees along the Mississippi river in said district, subject to the limitation above stated that they shall not be used at a greater discount than ten per cent below their face value.

Power and authority upon the board to contract for the building of certain levees therein named.

SEC. 17. *Be it further enacted, etc.,* That the care and police of levees shall devolve on the resident commissioners assisted by such inspectors and watchmen as may be appointed, pursuant to the regulations that may be provided by said board. The resident commissioners, or any member, levee inspector, or other officer of the board may, in case of threatened danger or urgent necessity, order out all or as many as may be necessary, of the road hands of the parish and cause them to work on the levees.

Care and police of the levees to be devolved upon the resident commissioners, assisted with such inspectors and watchmen as may be appointed under the regulations of the board—compensation to be allowed them..

For such emergency service, all persons serving thereon, shall be paid by the board at the rate of one dollar and fifty cents per day; and for night service, double this rate shall be allowed. Any person subject to road duty, who being duly notified, shall fail to attend and render immediate service, shall be guilty of a misdemeanor, and on conviction thereof, before any court of competent jurisdiction, shall be fined not less than five nor more than twenty dollars.

Penalty for neglect or failure to perform duty

SEC. 18. *Be it further enacted, etc.,* That if the president, any commissioner or officer of said board shall wilfully misappropriate any of the funds belonging to the said levee district or shall issue any warrant, evidence of debt, or make any appropriation of property for his individual benefit, and contrary to the objects, provisions, purposes and restrictions of this act, he shall be deemed guilty of the crime of embezzlement, and on conviction, be sentenced to hard labor in the penitentiary not exceeding ten years and fined double the amount of the money or value of the property misappropriated or embezzled.

Penalty upon the president, commissioner or officer for misapplying funds belonging to said district.

SEC. 19. *Be it further enacted, etc.,* That this act shall take effect from and after its promulgation, and all laws or parts of laws in conflict therewith are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 2, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO, Secretary of State.

No. 45.]

AN ACT

To re-enact sections 1015, 2063, and 3951 of the Revised Statute of the State, to provide for the appointment of a property clerk for the parish of Orleans, his compensation and payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That sections 1015, 2063 and 3951 of the Revised Statutes of the State of Louisiana, be re-enacted so as to read as follows:

Duty of justices of the peace, committing magistrates and recorders upon the examination of persons charged with violation of the laws of this State.

Section 1015—When any person charged with having committed any offense against the laws of this State, is brought before any justice of the peace or other committing magistrate in any parish in this State, or before any of the recorders of the city of New Orleans, it shall be the duty of said justice of the peace, committing magistrates, and recorders of the city of New Orleans, to take in writing the depositions and evidence of all material witnesses on behalf of the State, and when so requested by the accused, the evidence of the material witnesses for the defense, and also, in the discretion of said justice of the peace or recorder, to take their recognizance of bond in such sum as may be reasonable, conditioned for their appearance before the court having jurisdiction of the offense, there to give evidence in the case and not to depart without leave of the court; which depositions and recognizances or bonds shall be forthwith returned to the clerk's office of the court having jurisdiction of the case. They shall also preserve and keep in their custody and control, until the commitment for trial before the district court, or the discharge by them of any defendant, any money, weapon, valuable security, or matter or thing of any description whatsoever, which may be required as evidence upon the trial of any defendant; and if such defendant shall be committed for trial before the district court.

They shall deliver to the clerks of the criminal courts of their respective judicial districts, and in the city of New Orleans to the clerk of the criminal district court of the parish of Orleans, the money, goods or other chattels, or any property belonging to the accused, to be kept by said clerks subject to the order of the court.

They shall also deliver to the clerk's office of the District Courts of the parishes of this State within their respective judicial districts, and to the clerk of the Criminal District Court for the parish of Orleans, the money, goods or other chattels stolen, the weapons used, the bills or obligations forged, or any other property or piece of evidence that may be used in the trial, together with such other effects, money or property taken from the accused at the time of his arrest or incarceration, and it shall be the duty of said clerks of court, and the clerk of the Criminal District Court of the parish of Orleans, to receive and keep the same in a safe and sure custody; subject to the order of the court, taking care to preserve the identity of the same.

That in order to carry out the provisions of this section, the clerk of the Criminal District Court of the parish of Orleans is hereby authorized to appoint one additional deputy clerk for said courts, who shall be known as the property clerk of said courts, and who shall hold said office during the pleasure of the clerk. That the salary of said deputy clerk is hereby fixed at the sum of one hundred dollars per month, payable by the city of New Orleans, which payment of said salary shall be provided for by said city in its annual budget.

Property clerk to be appointed by the clerk of the criminal district court for the parish of Orleans—his term of office—his salary, how paid, and his duties.

That it shall be the duty of said property clerk, under the supervision and control of the clerk of said Criminal District Court, to take charge of and custody of said money and property herein enumerated, and carry out the provisions of this act applicable to the parish of Orleans.

SEC. 2. *Be it further enacted, etc.,* That all laws or parts of laws different, inconsistent, or in conflict herewith be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

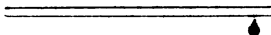
Lieutenant Governor and President of the Senate.

Approved July 2, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.



No. 46.] AN ACT

To amend and re-enact Article 398 of the Code of Practice of Louisiana.

Be it enacted by the General Assembly of the State of Louisiana, That article three hundred and ninety-eight of the Code of Practice be amended and re-enacted so as to read as follows: If the opposition has for its object to set aside the order of seizure as having been effected on property not belonging to the party against whom the order was directed, but owned on the contrary by the third person making the opposition; it must be done by means of a petition, which, together with a citation, must be served on the party making the seizure, as in ordinary suits; but such opposition shall be considered as a separate demand, distinct from the suit in which the order was granted; *provided*, that in all cases where personal property is seized upon mesne or final process, and is claimed by a third opponent, the seizing creditor may be allowed in his answer to the third opposition to allege and prove his title fraudulent, and the court shall try and decide the issue thus made.

Opposition of third parties in separate demands—how and in what manner made.

Provided.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 2, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 47.]

AN ACT

Making appropriations to defray the ordinary expenses of Government, to pay the interest on the public debt, and support public schools and public charities in the State of Louisiana, and to build and repair public levees, for the year commencing July 1, 1886, and ending June 30, 1887; and the year commencing July 1, 1887, and ending June 30, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the following sums, or so much thereof may be necessary, be and the same are hereby appropriated of any moneys in the State Treasury not otherwise appropriated for the following purposes, for the year commencing July 1, 1887, and ending June 30, 1887; and for the year commencing July 1, 1887, and ending June 30, 1888.

Appropriation of moneys in the State Treasury not otherwise appropriated, to pay the following:

OUT OF GENERAL FUND. •

		1886-1887	1887-1888
EXECUTIVE DEPARTMENT.			
Salary of the Governor.	For salary of Governor for the year ending June 30, 1887, four thousand dollars	\$ 4,000 00	
	For the year ending June 30, 1888, four thousand dollars.....		\$ 4,000 00
His private secretary.	For salary of Governor's private secretary, for year ending June 30, 1887, two thousand two hundred dollars.....	2,200 00	
	For the year ending June 30, 1888, two thousand two hundred dollars.....		2,200 00
His messenger and porter.	For messenger and porter, Governor's office (five hundred dollars each), for the year ending June 30, 1887, one thousand dollars	1,000 00	
	For the year ending June 30, 1888, one thousand dollars.....		1,000 00
Postage, telegrams, stationery, etc.	For expenses Governor's office, postage, telegrams, stationery, and for other purposes, for the year ending June 30, 1887, fifteen hundred dollars	1,500 00	
	For the year ending June 30, 1888, fifteen hundred dollars		1,500 00
His traveling expenses.	Traveling expenses through the State, if necessary, for the year ending June 30, 1887, five hundred dollars.....	500 00	
	For the year ending June 30, 1888, five hundred dollars.....		500 00
Rewards for the arrest of fugitives from justice.	For purposes of offering rewards by Governor, for fugitives from justice, if necessary, for the year ending June 30, 1887, one thousand dollars	1,000 00	
	For the year ending June 30, 1888, one thousand dollars.....		1,000 00

	1886-1887	1887-1888
For rent of dwelling for the Governor, for the year ending June 30, 1887, nine hundred dollars	\$ 900 00	Rent of dwelling-house for Governor.
For the year ending June 30, 1888, nine hundred dollars		\$ 900 00
For clerk for Governor, during the session of 1886, one hundred and fifty dollars	150 00	Clerk to Governor during the session.
ATTORNEY GENERAL.		
For salary of Attorney General, for year ending June 30, 1887, three thousand dollars	3,000 00	Salary of Attorney General.
For year ending June 30, 1888, three thousand dollars		3,000 00
For salary of clerk of Attorney General, for year ending June 30, 1887, fifteen hundred dollars	1,500 00	Salary of his clerk.
For year ending June 30, 1888, fifteen hundred dollars		1,500 00
For office rent and expenses of Attorney General, for year ending June 30, 1887, six hundred dollars	600 00	His office rent.
For year ending June 30, 1888, six hundred dollars		600 00
For porter of Attorney General's office, for year ending June 30, 1887, four hundred dollars	400 00	His porter.
For year ending June 30, 1888, four hundred dollars		400 00
For postage, telegrams, stationery, Attorney General's office, for year ending June 30, 1887, two hundred dollars	200 00	Postage, telegrams and stationery.
For year ending June 30, 1888, two hundred dollars		200 00
For traveling expenses on State business, by Attorney General, if necessary, for year ending June 30, 1887, two hundred dollars	200 00	His traveling expenses.
For year ending June 30, 1888, two hundred dollars		200 00
For costs of court for State purposes and other incidental expenses, to be paid upon approval of Attorney General, or as much thereof as may be necessary, for year ending June 30, 1887, fifteen hundred dollars	1,500 00	Costs of court for State purposes and other incidental expenses of his office.
For year ending June 30, 1888, fifteen hundred dollars		1,500 00
SECRETARY OF STATE.		
For salary Secretary of State for year ending June 30, 1887, one thousand eight hundred dollars	1,800 00	Salary of Secretary of State.

		1886-1887	1887-1888
	For year ending June 30, 1888, one thousand eight hundred dollars.....		\$ 1,800 00
His clerical force.	For clerical force, office of Secretary of State, for year ending June 30, 1887, fifteen hundred dollars.....	\$ 1,500 00	
	For year ending June 30, 1888, fifteen hundred dollars.....		1,500 00
Postage, express- age and telegrams.	For postage, expressage and telegrams, office Secretary of State and State Librarian, for year ending June 30, 1887, fifteen hundred dollars.....	1,500 00	
	For year ending June 30, 1888, fifteen hundred dollars.....		1,500 00
Messenger and porter.	For messenger and porter, office Secretary of State, for year ending June 30, 1887, seven hundred and twenty dollars.....	720 00	
	For year ending June 30, 1888, seven hundred and twenty dollars.....		720 00
Salary of State Li- brarian.	For salary State Librarian, for year ending June 30, 1887, nine hundred dollars.	900 00	
	For year ending June 30, 1888, nine hundred dollars.....		900 00
Salary of Assist- ant State Librarian.	For salary Assistant Librarian, for year ending June 30, 1887, six hundred dollars	600 00	
	For year ending June 30, 1888, six hundred dollars.....		600 00
Compensation for making catalogue of State library.	For Assistant Librarian, Mrs. Cecile Hamilton, for making out catalogue of the State Library, two hundred and fifty dollars.....	250 00	
Fuel, lights, fur- niture, etc., State library.	For fuel lights, furniture, etc., State Library for year ending June 30, 1887, two hundred and fifty dollars.....	250 00	
	For year ending June 30, 1888, two hundred and fifty dollars		250 00
AUDITOR OF PUBLIC ACCOUNTS.			
Salary of the Aud- itor.	For salary Auditor of Public Accounts, for year ending June 30, 1887, two thousand five hundred dollars.....	\$ 2,500 00	
	For year ending June 30, 1888, two thousand five hundred dollars.....		\$ 2,500 00
His clerical force.	For clerical force, Auditor's office, for year ending June 30, 1887, four thousand dollars.....	4,000 00	
	For year ending June 30, 1887, four thousand dollars.....		4,000 00
His messenger and porter.	For messenger and porter, Auditor's office, for year ending June 30, 1887, seven hundred and twenty dollars	720 00	

	1886-1887	1887-1888	
For year ending June 30, 1888, seven hundred and twenty dollars		\$ 720 00	
For books, binding, stationery, etc., Auditor's office, for year ending June 30, 1887, if necessary, one thousand dollars	\$ 1,000 00		Books, binding, and stationery, for Auditor's office.
For year ending June 30, 1888, if necessary, one thousand dollars		1,000 00	
For postage, registering and freight, for Auditor's office, for year ending June 30, 1887, one thousand dollars	1,000 00		Postage, registering and freight, for Auditor's office.
For year ending June 30, 1888, one thousand dollars		1,000 00	
STATE TREASURER.			
For salary of State Treasurer, for year ending June 30, 1887, two thousand dollars	2,000 00		Salary of State Treasurer.
For year ending June 30, 1888, two thousand dollars		2,000 00	
For clerical force, Treasurer's office, for year ending June 30, 1887, two thousand dollars	2,000 00		His clerical force.
For year ending June 30, 1888, two thousand dollars		2,000 00	
For expenses of Treasurer's office, stationery, etc., for year ending June 30, 1887, one thousand and forty dollars	1,040 00		His office expenses.
For year ending June 30, 1888, six hundred and forty dollars		640 00	
For messenger and porter of Treasurer's office, for year ending June 30, 1887, seven hundred and twenty dollars	720 00		His messenger and porter.
For year ending June 30 1888, seven hundred and twenty dollars		720 00	
JUDICIARY DEPARTMENT.			
For salaries of Judges of Supreme Court, for year ending June 30, 1887, twenty-five thousand dollars	\$25,000 00		Salaries judges of Supreme Court.
For year ending June 30, 1888, twenty-five thousand dollars		25,000 00	
For salary of Reporter of Supreme Court, for year ending June 30, 1887, fifteen hundred dollars	1,500 00		Salary reporter of Supreme Court.
For year ending June 30, 1888, fifteen hundred dollars		1,500 00	
For salaries of thirty district judges, country parishes, for year ending June 30, 1887, ninety thousand dollars	90,000 00		Salaries of district judges, country parishes.
For year ending June 30, 1888, ninety thousand dollars		90,000 00	

	1886-1887	1887-1888
Salaries of district judges, parish of Orleans.	For salaries of seven district judges, parish of Orleans, for year ending June 30, 1887, twenty-eight thousand dollars. \$28,000 00	
	For year ending June 30, 1888, twenty-eight thousand dollars.....	\$28,000 00
Salaries of judges city courts, parish of Orleans.	For salaries of four judges, city courts, parish of Orleans, for year ending June 30, 1887, nine thousand six hundred dollars.....	9,600 00
	For year ending June 30, 1888, nine thousand six hundred dollars.....	9,600 00
Salaries of judges court of appeals, parish of Orleans.	For salaries of two judges, court of appeals, parish of Orleans, for year ending June 30, 1887, eight thousand dollars.....	8,000 00
	For year ending June 30, 1888, eight thousand dollars.....	8,000 00
Salaries of circuit judges, country parishes.	For salaries of ten Circuit Judges, country parishes, for year ending June 30, 1887, forty thousand dollars.....	40,000 00
	For year ending June 30, 1888, forty thousand dollars.....	40,000 00
Salaries of district attorneys, country parishes.	For salaries of twenty-seven district attorneys, country parishes, for year ending June 30, 1887, twenty-seven thousand dollars.....	27,000 00
	For year ending June 30, 1888, twenty-seven thousand dollars.....	27,000 00
Salary of district attorney, parish of Orleans.	For salary district attorney, parish of Orleans, for year ending June 30, 1887, one thousand dollars.....	1,000 00
	For year ending June 30, 1888, one thousand dollars.....	1,000 00
Salary assistant district attorney, parish of Orleans.	For salary assistant district attorney, parish of Orleans, for year ending June 30, 1887, fifteen hundred dollars.....	1,500 00
	For year ending June 30, 1888, fifteen hundred dollars.....	1,500 00

MISCELLANEOUS.

STATE HOUSE.

Insurance on State-House buildings and property of the State.	For insurance of State-House buildings and property, for year ending June 30, 1887, twenty-one hundred dollars.....	2,100 00
	For year ending June 30, 1888, twenty-one hundred dollars.....	2,100 00
Salary of keeper State-House and grounds.	For salary of keeper of State-House and grounds, for year ending June 30, 1887, six hundred dollars.....	600 00
	For year ending June 30, 1888, six hundred dollars.....	600 00

	1886-1887	1887-1888	
For night watchman State-House and grounds, for year ending June 30, 1887, six hundred dollars	\$ 600 00		Salary of night-watchman State-House and grounds.
For year ending June 30, 1888, six hundred dollars		\$ 600 00	
For labor on grounds and cleaning vaults of State-House, for year ending June 30, 1887, five hundred dollars	500 00		Labor on grounds and cleaning vaults of the State-House.
For year ending June 30, 1888, five hundred dollars; <i>provided</i>, that three hundred (\$300) of this appropriation shall be used for labor on capitol grounds, and two hundred dollars (\$200) for beautifying the grounds with shrubs and flowers; and <i>provided</i>, that the appropriation be applied to planting shrubs and flowers and beautifying the capitol grounds; and furthermore, that the appropriation shall not be used if stock and horses are allowed to run on the grounds		500 00	
For gas and fuel, State-House, for year ending June 30, 1887, seven hundred and fifty dollars	750 00		Gas and fuel for use of State-House.
For year ending June 30, 1888, seven hundred and fifty dollars		750 00	
BLIND ASYLUM.			
For support of Blind Asylum, for year ending June 30, 1887, seven thousand five hundred dollars	7,500 00		Support of blind asylum.
For year ending June 30, 1888, seven thousand five hundred dollars		7,500 00	
DEAF AND DUMB ASYLUM.			
For support of Deaf and Dumb Asylum, for year ending June 30, 1887, ten thousand dollars	10,000 00		Support of deaf and dumb asylum.
For year ending June 30, 1888, ten thousand dollars		10,000 00	
LOUISIANA STATE UNIVERSITY.			
For support Louisiana State University and Agricultural and Mechanical College, at Baton Rouge, for year ending June 30, 1887, ten thousand dollars	10,000 00		Support of Louisiana State University and Agricultural and Mechanical college.
For year ending June 30, 1888, ten thousand dollars; <i>provided</i>, that two thousand five hundred dollars thereof be used for necessary repairs on the University		10,000 00	

COLORED UNIVERSITY IN NEW ORLEANS.

Support of university for the education of persons of color in the city of New Orleans.

For support of university for the education of persons of color (Art. 231, Constitution), for year ending June 30, 1887, seven thousand five hundred dollars.
For year ending June 30, 1888, seven thousand five hundred dollars.

1886-1887	1887-1888
\$ 7,500 00	
	\$ 7,500 00

INSANE ASYLUM.

Support of insane asylum, at Jackson.

For support of Insane Asylum, at Jackson, for year ending June 30, 1887, eighty thousand dollars.
For year ending June 30, 1888, eighty thousand dollars, two thousand dollars of which shall be for lighting, and three thousand five hundred dollars for sewers and extension of same; *provided*, these amounts so appropriated shall be expended solely for the care of insane persons who are residents of the State of Louisiana.

80,000 00	
	80,000 00

CHARITY HOSPITAL IN NEW ORLEANS.

Support of Charity Hospital, at New Orleans.

For support of Charity Hospital in New Orleans, for year ending June 30, 1887, forty thousand dollars.
For year ending June 30, 1888, forty thousand dollars; *provided*, that none but resident Louisianians be admitted as resident students.

40,000 00	
	40,000 00

CHARITY HOSPITAL IN SHREVEPORT.

Support of Charity Hospital, Shreveport.

For support of Charity Hospital at Shreveport, for year ending June 30, 1887, ten thousand dollars, of which two thousand shall be for building purposes.
For year ending June 30, 1888, ten thousand dollars, of which two thousand shall be for building purposes.

10,000 00	
	10,000 00

CHARITY HOSPITAL AT ALEXANDRIA.

For the hospital at Alexandria.

For Charity Hospital at Alexandria, for year ending June 30, 1887, two thousand five hundred dollars, for building purposes.

2,500 00	
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	1886-1887	1887-1888
SOLDIERS' HOME.		
For support of Soldiers' Home in New Orleans, for year ending June 30, 1887, seven thousand five hundred dollars....	\$ 7,500 00	Support of the Soldiers' Home.
For year ending June 30, 1888, seven thousand five hundred dollars; <i>provided</i> , that it shall be the duty of the Presidents and Boards of Trustees of the various public and charitable institutions of this State to endeavor to obtain loans on the warrants issued for the maintenance of said institution before any portion of said warrants shall be disposed of, and hereafter no warrant so issued shall be sold without the written approval of the Governor expressed on the face of said warrant		\$ 7,500 00
STATE ARMORER.		
For salary State Armorer, for year ending June 30, 1887, six hundred dollars.....	600 00	Salary of State Armorer.
For year ending June 30, 1888, six hundred dollars.....		600 00
STATE REGISTRAR OF VOTERS.		
For salary of State Registrar of Voters, for the year ending June 30, 1887, three thousand six hundred dollars	3,600 00	Salary of State Registrar of Voters.
For year ending June 30, 1888, three thousand six hundred dollars		3,600 00
For salary chief clerk of Registrar of Voters, for the year ending June 30, 1887, fifteen hundred dollars	1,500 00	Salary of his chief clerk.
For year ending June 30, 1888, fifteen hundred dollars		1,500 00
For salary of porter, Registrar of Voters, for the year ending June 30, 1887, five hundred dollars	500 00	
For the year ending June 30, 1888, five hundred dollars		500 00
CLERKS OF REGISTRATION.		
For twenty-six Clerks of Registration, to be employed sixty days prior to the election, at three dollars per day, for year ending June 30, 1888, four thousand six hundred and eighty dollars		Salary of twenty-six clerks of registration.
		4,680 00

ELECTIONS.		1886-1887	1887-1888
For elections in 1886.	For elections in 1886, out of revenues of 1886, fifteen thousand dollars.....	\$ 15,000 00	
	For elections in 1888, out of revenues of 1888, fifteen thousand dollars.....		\$ 15,000 00
Books, office registration of voters.	For books, office of Registrar of Voters, for year ending June 30, 1887, one thousand four hundred dollars.....	1,400 00	
	For year ending June 30, 1888, one thousand four hundred dollars.....		1,400 00
DISTRICT ATTORNEYS BEFORE SUPREME COURT.			
Salaries of district attorneys in attendance in the Supreme Court at Monroe, Shreveport and Opelousas.	To pay three district attorneys for services before Supreme Court (Monroe, Shreveport and Opelousas), as per Act 58 of 1867, for year ending June 30, 1887, two hundred and fifty dollars (\$250) each.....	750 00	
	For year ending June 30, 1888, two hundred and fifty dollars (\$250) each.....		750 00
STATE PRINTING.			
State printing.	For State printing, and blanks in the various State departments, for year ending June 30, 1887, twenty-five thousand dollars, the same to include the cost of the publication of the Revised Statutes, under Act 30 of 1884, already incurred and hereafter to be incurred.....	25,000 00	
	For year ending June 30, 1888, twenty-five thousand dollars.....		25,000 00
Printing laws in French.	For printing laws in French language, for session 1886, one thousand dollars.....	1,000 00	
INSURANCE—UNIVERSITY BUILDING.			
Insurance and repairs of buildings occupied by Louisiana State University and Agricultural and Mechanical college, at Baton Rouge	For insurance and repairs of building occupied by the Louisiana State University and Agricultural and Mechanical College, at Baton Rouge, for year ending June 30, 1887, one thousand six hundred dollars.....	1,600 00	
	For year ending June 30, 1888, one thousand six hundred dollars.....		1,600 00
SALARY ADJUTANT GENERAL.			
Salary of Adjutant General.	For salary Adjutant General (provided he shall keep his office at the capitol), for year ending June 30, 1887, two thousand dollars.....	2,000 00	

	1886-1887	1887-1888	
For year ending June 30, 1888, two thousand dollars		\$ 2,000 00	
MILITIA.			
For maintenance of militia in the field, when called out to suppress insurrection or repel invasion, if necessary, for year ending June 30, 1887, three thousand seven hundred and fifty dollars	\$ 3,750 00		Maintenance of militia in the field.
For year ending June 30, 1888, three thousand seven hundred and fifty dollars ..		3,750 00	
For military purposes, arming, equipping and maintaining the State militia and volunteer force, for year ending June 30, 1887, five thousand dollars	5,000 00		For military purposes, arming, equipping and maintaining State militia and volunteer force.
For year ending June 30, 1888, five thousand dollars ..		5,000 00	
BONDS AND INTEREST.			
To pay twenty bonds of one thousand dollars each, issued to fiscal agent under Act 73 of 1880, maturing April 1, 1887, twenty thousand dollars	20,000 00		Payment twenty bonds issued fiscal agent under Act 73 of 1880, maturing April 1, 1887, and 1888.
For payment of twenty bonds of one thousand dollars each, maturing April 1, 1888, twenty thousand dollars		20,000 00	
To pay interest on forty-seven thousand dollars of bonds issued under Act 73 of 1880, due October 1, 1886, and April 1, 1887, one thousand eight hundred and eighty dollars	1,880 00		Payment of interest of twenty bonds maturing April 1, 1887, and 1888.
To pay interest on twenty-seven thousand dollars of bonds, issued under Act 73 of 1880, due October 1, 1887, and April 1, 1888, one thousand and eighty dollars ..		1,080 00	
CIVIL SHERIFF OF NEW ORLEANS.			
To pay civil sheriff, parish of Orleans, for attendance on the Supreme Court, for year ending June 30, 1887, three hundred and fifty dollars	350 00		Compensation to civil sheriff, parish of Orleans, for services on Supreme Court.
For year ending June 30, 1888, three hundred and fifty dollars		350 00	
SHERIFFS' ATTENDANCE ON SUPREME COURT.			
To pay sheriffs of the parishes of Caddo, St. Landry and Ouachita, for attendance on Supreme Court, for year ending June 30, 1887, fifty dollars each	150 00		Compensation to sheriffs of Caddo, St. Landry, and Ouachita; for services on Supreme Court.

	1886-1887	1887-1888
For year ending June 30, 1888, fifty dollars each.....		\$ 150 00
BUREAU OF AGRICULTURE.		
Salary of Commissioner Bureau of Agriculture. For salary Commissioner Bureau of Agriculture, for year ending June 30, 1887, fifteen hundred dollars	\$ 1,500 00	
For year ending June 30, 1888, fifteen hundred dollars		1,500 00
His porter. For porter, office Bureau of Agriculture, for year ending June 30, 1887, one hundred and eighty dollars	180 00	
For year ending June 30, 1888, one hundred and eighty dollars		180 00
Stationery, postage and coal for his office. For stationery, postage and coal, Bureau of Agriculture, for year ending June 30, 1887, two hundred dollars	200 00	
For year ending June 30, 1888, two hundred dollars		200 00
Printing and distribution of documents. For printing and distributing documents, bulletins of practical experiments on agriculture, pamphlets, etc., Bureau of Agriculture, for year ending June 30, 1887, two thousand dollars	2,000 00	
For year ending June 30, 1888, two thousand dollars		2,000 00
Experimental station for his office. For experimental station, Bureau of Agriculture, for year ending June 30, 1887, eighteen hundred dollars	1,800 00	
For year ending June 30, 1888, eighteen hundred dollars		1,800 00
BUREAU OF IMMIGRATION.		
Salary of Commissioner of Immigration. For salary, Commissioner Bureau of Immigration, for year ending June 30, 1887, fifteen hundred dollars	1,500 00	
For year ending June 30, 1888, fifteen hundred dollars		1,500 00
Stationery, postage and coal. For stationery, postage, coal, etc., Bureau Immigration, for year ending June 30, 1887, two hundred dollars	200 00	
For year ending June 30, 1888, two hundred dollars		200 00
Office rent. For office rent, Bureau of Immigration, for year ending June 30, 1887, three hundred dollars	300 00	
For year ending June 30, 1888, three hundred dollars		300 00
Printing and distributing documents. For printing and distributing documents, pamphlets, etc., Bureau of Immigration, year ending June 30, 1887, two thousand dollars	2,000 00	

	1886-1887	1887-1888
For year ending June 30, 1888, fifteen hundred dollars		\$ 1,500 00
For porter for Commissioner of Immigration, for year ending June 30, 1887, one hundred and eighty dollars	\$ 180 00	Salary of porter.
For year ending June 30, 1888, one hundred and eighty dollars		180 00
OUT OF CURRENT SCHOOL FUND		
For support of free public schools, or as much thereof, or any excess thereof as may be collected for State taxes levied for that purpose, or be donated to the school fund for year ending June 30, 1887, three hundred thousand dollars ..	300,000 00	Support of free public schools.
For year ending June 30, 1888, three hundred thousand dollars		300,000 00
SUPERINTENDENT PUBLIC EDUCATION.		
For salary Superintendent Public Education, for year ending June 30, 1887, two thousand dollars	2,000 00	Salary Superintendent of Public Education.
For year ending June 30, 1888, two thousand dollars		2,000 00
For salary of Secretary of Superintendent of Public Education, for year ending June 30, 1887, eight hundred dollars	800 00	Salary of his secretary.
For year ending June 30, 1888, eight hundred dollars		800 00
For expenses office of Superintendent of Public Education, for year ending June 30, 1887, two hundred dollars	200 00	Compensation for his office expenses.
For year ending June 30, 1888, two hundred dollars		200 00
For traveling expenses of Superintendent of Public Education, for year ending June 30, 1887, three hundred dollars...	300 00	His traveling expenses.
For year ending June 30, 1888, three hundred dollars		300 00
INTEREST SCHOOL FUND.		
For payment of interest on school fund (Article 233, Constitution) for year ending June 30, 1887, forty-five thousand two hundred and thirty-four dollars and seventy cents. If there be any surplus out of these appropriations, the same to be used in paying any interest due for the years prior to 1880	45,234 70	Payment of interest on school fund.

OUT OF THE ENGINEER FUND.

	1886-1887	1887-1888	
For construction, repairing and maintaining of levees, or as much thereof as the one mill tax for levee purposes may produce or as may be derived from the transfer of other funds to the General Engineer fund and from the sale of swamp lands, for year ending June 30, 1887, two hundred thousand dollars...	200,000 00		Construction, repairing and maintenance of levees.
For year ending June 30, 1888, two hundred thousand dollars		200,000 00	
For salary Chief State Engineer, for year ending June 30, 1887, three thousand six hundred dollars	3,600 00		Salary of Chief State Engineer.
For year ending June 30, 1888, three thousand six hundred dollars		3,600 00	
For salaries for four Assistant Engineers, for year ending June 30, 1887, three thousand dollars each	12,000 00		Salary of four Assistant State Engineers.
For year ending June 30, 1888, three thousand dollars each		12,000 00	
For salary secretary Board of State Engineers, for year ending June 30, 1887, one thousand eight hundred dollars	1,800 00		Salary of secretary Board State Engineers.
For year ending June 30, 1888, one thousand eight hundred dollars		1,800 00	
For salary draughtsman Board of Engineers, for year ending June 30, 1887, one thousand eight hundred dollars	1,800 00		Salary draughtsman Board State Engineers.
For year ending June 30, 1888, one thousand eight hundred dollars		1,800 00	
For salary assistant draughtsman Board of Engineers, for year ending June 30, 1887, one thousand three hundred dollars	1,300 00		Salary of assistant draughtsman.
For year ending June 30, 1888, one thousand three hundred dollars		1,300 00	
For engineer's material and repairing instruments, for postage, telegraphing, stationery, etc., for year ending June 30, 1887, five hundred dollars	500 00		Engineers' materials and repairing instruments.
For year ending June 30, 1888, five hundred dollars		500 00	
For mileage and expenses for chainmen and axmen for Board of Engineers, for year ending June 30, 1887, six thousand five hundred dollars	6,500 00		Mileage and expenses of chainmen.
For year ending June 30, 1888, six thousand five hundred dollars		6,500 00	
FROM PROCEEDS OF SALE OF SWAMP LANDS.			
For salary of Register of State Land Office, for year ending June 30, 1887, fifteen hundred dollars	1,500 00		Salary State Register of Land Office.

	1886-1887	1887-1888
For year ending June 30, 1888, fifteen hundred dollars		\$ 1,500 00
His porter and messenger. For messenger and porter, State Land Office, for year ending June 30, 1887, three hundred dollars	\$ 300 00	
For year ending June 30, 1888, three hundred dollars		300 00
Postage, stationery, etc. for office. For postage, stationery, etc., State Land Office, for year ending June 30, 1887, two hundred dollars	200 00	
For year ending June 30, 1888, two hundred dollars		200 00
Shelving, armoirs, etc., for his office. For shelving, armoirs, etc., for State Land Office, one hundred and fifty dollars ...	150 00	
His clerical force. For clerical force, Register of State Land Office, for year ending June 30, 1887, fifteen hundred dollars	1,500 00	
For year ending June 30, 1888, fifteen hundred dollars		1,500 00
To pay for abstract of entries in U. S. Land Office. For abstract of entries in the United States Land Office, for use of Auditor in preparing list of entries for parish assessors, fifteen hundred dollars (\$1,500) out of revenues of 1886	1,500 00	
OUT OF SPECIAL FUND FOR CHARITY HOSPITAL		
Support of Charity Hospital. For support of Charity Hospital, at New Orleans, from an annual tax received from Louisiana Lottery Company, for year ending June 30, 1887, forty thousand dollars	40,000 00	
For year ending June 30, 1888, forty thousand dollars		40,000 00
From fees derived from inspection of live stock. For fees received from inspector of live stock, under Slaughter house act, for year ending June 30, 1887, six thousand dollars	6,000 00	
For year ending June 30, 1888, six thousand dollars		6,000 00
From licenses on auctioneers. For licenses upon auctioneers for certain sales (as much thereof or in excess as may be collected), for year ending June 30, 1887, ten thousand dollars	10,000 00	
For year ending June 30, 1888, ten thousand dollars		10,000 00
COMPENSATION OF ASSESSORS.		
Salaries and compensation to assessors of parish of Orleans. For salaries of assessors, parish of Orleans, to be paid pro rata out of the various funds, as apportioned by the revenue act, for year ending June 30, 1887, twenty-one thousand dollars	21,000 00	

	1886-1887	1887-1888
For year ending June 30, 1888, twenty-one thousand dollars.....		\$ 21,000 00
For compensation of assessors, for country parishes, to be paid pro rata out of the various funds as apportioned by the revenue act, for the year ending June 30, 1887, thirty thousand dollars.....	\$ 30,000 00	
For year ending June 30, 1888, thirty thousand dollars.....		30,000 00

Salaries and compensation to assessors in the country parishes.

SEC. 2. *Be it further enacted, etc.,* That one-half of the appropriations herein made for the year commencing July 1, 1886, and ending June 30, 1887, shall be paid out of the revenues of 1886, and one-half of the appropriations herein made for the year commencing July 1, 1887, and ending June 30, 1888, shall be paid out of the revenues of the year 1888, and the balance appropriations herein made shall be paid out of the revenues of 1887, except as herein otherwise provided.

How and in what manner appropriations shall be paid.

SEC. 3. *Be it further enacted, etc.,* That the Treasurer shall pay warrants drawn against the General Fund in the following order:

Rank of payment of appropriations.

First—Warrants issued for salaries of officers, employes and office expenses of the various departments of the government, including assessors.

Second—Warrants issued for Agricultural and Mechanical College, University for Education of Persons of Color and State printing.

Third—Warrants issued for miscellaneous purposes.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 48.]

AN ACT

For the protection of the alluvial lands of the State, authorizing and instructing the State Board of Engineers to survey, stake out and make estimate of the cost of certain levees; authorizing the State Board to solicit and accept aid from districts, parishes, municipalities or individuals interested in the construction of said levees; authorizing and instructing the Board of Engineers to contract for the building of said levees, under certain circumstances; providing for

payment of the same and prescribing the fund to be used in such payment, and providing, under certain circumstances, that the lessees of the penitentiary be required to perform the work, and providing that the Engineers shall issue certificates upon the completion and acceptance of the work, and authorizing the receipt of these certificates by the Auditor and Treasurer in payment of certain dues.

Authority upon the Board of State Engineers to survey the Morganza and Diamond Island Bend crevasses, to make an estimate of the probable cost of closing the same, and to report to the Governor.

Duty of Governor upon receiving said report.

\$41,000 appropriated, from which \$20,000 for closing Morganza levee and \$21,000 for closing Diamond Island levee, the same to be obtained from the lessees of the penitentiary for the years 1886 and 1887.

Proviso.

Board of State Engineers to contract for the work as soon as sufficient money has been provided for.

Upon completion of the work, the Board of Engineers to issue certificates entitling the contractor to payment.

Authority upon the State Treasurer and Auditor to receive the certificates in payment of the rent of the penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That for the better protection of the alluvial lands of this State, the Board of State Engineers be and they are hereby authorized and instructed to examine and survey the crevasses known as "Morganza," in the parish of Pointe Coupee, and "Diamond Island Bend," in the parish of Madison; to stake out levees at said places of sufficient dimensions to protect the lands of the State from overflow, and to estimate the probable cost of the said work, and to report the same to the Governor as soon as said estimate is completed.

SEC. 2. *Be it further enacted, etc.*, That when said survey and estimate has been made, the Governor is requested to address communications to the districts, parishes and municipalities of the State interested in the building of said levees, soliciting aid and assistance for the building of the same.

SEC. 3. *Be it further enacted, etc.*, That the sum of forty-one thousand dollars be and the same is hereby appropriated for the payment in part of the cost of the levees herein named; twenty-one thousand dollars thereof for Morganza Levee, and twenty thousand dollars thereof for Diamond Island Bend Levee; said forty-one thousand dollars to be obtained from the amount paid by the lessees of the penitentiary on their lease, for the year 1886 twenty thousand dollars, and for the year 1887 twenty-one thousand dollars; *provided*, that the appropriation herein made shall not be so construed as to prevent the Board of State Engineers from allotting to the two levees named in this act, or either of them, from the General Engineer Fund, any proportion thereof which it is proper in the judgment of said Board of Engineers such levees or either of them should receive.

SEC. 4. *Be it further enacted, etc.*, That when sufficient money has been provided by the districts, parishes, municipalities or individuals interested in the building of said levees, together with the amounts mentioned in section 3 of this act, to complete the work, the Board of Engineers shall contract with some responsible party or parties for the completion of the work under the general levee laws of the State.

SEC. 5. *Be it further enacted, etc.*, That upon the completion of the work of either of said levees, or both, the board shall and they are hereby authorized to issue certificates setting forth that the work has been constructed and that the holder is entitled to the amount named in the certificates; and the certificates shall state the fund from which the same shall be paid.

SEC. 6. *Be it further enacted, etc.*, That the Auditor and Treasurer are hereby instructed to receive the certificates issued against the penitentiary fund in payment of the rental due for the years named in said certificates.

SEC. 7. *Be it further enacted, etc.,* That if, upon advertisement of said work hereinbefore provided for, no satisfactory bid be received, then the Board of Engineers shall offer same to the lessees of the penitentiary at a reasonable rate or price, not to exceed twenty-five cents per cubic yard, and the said lessees shall be and are hereby required to perform said work with the convicts of the State; *provided*, that nothing in this act shall be construed as preventing the lessees of the penitentiary from bidding for the work as provided for in section 5 of this act.

In case no satisfactory bid is offered for performance of the work, the Board of State Engineers shall offer the same to the lessees of the penitentiary, at a price not to exceed twenty-five cents per cubic yard.

Proviso.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 49.]

AN ACT

To amend and re-enact an act entitled, "an act making it a misdemeanor to sell or offer for sale, to ship or place upon the market for sale, any sugar or molasses, adulterated with glucose or any foreign substance, without branding or stamping it as such," approved June 26, 1882, and to prescribe penalties for a violation of the provisions of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That whoever shall knowingly sell or offer for sale, ship or place upon the market for sale, either by sample, hogshead, barrel, package or otherwise, any sugar or molasses, adulterated with glucose or any foreign substance, without branding or stamping it as such in clear, legible letters, shall be guilty of a misdemeanor and, on conviction thereof, shall be punished by imprisonment not exceeding six months, and by a fine of not less than two hundred dollars nor more than one thousand dollars for each offense, recoverable before any court of competent jurisdiction; one-half of the fine for the benefit of the informer and the other half for the benefit of the Charity Hospital of New Orleans.

Penalty for selling or offering for sale, ship, or place upon the market for sale, sugar or molasses adulterated with glucose or any foreign substance, without branding or stamping the same as such.

SEC. 2. *Be it further enacted, etc.,* That whoever shall employ plantation brands to sell adulterated sugar or molasses, shall be guilty of a misdemeanor and, on conviction thereof, shall be punished as provided for in section 1 of this act.

Penalty for employing plantation brands to violate the provisions of the first section of this act.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 50.]

AN ACT

To amend and re-enact Article three hundred and seventy-five of the Code of Practice of Louisiana.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That Article three hundred and seventy-five of the Code of Practice be amended and re-enacted so as to read as follows:

Requirements necessary to authorize the defendant to institute a demand in reconvention.

Proviso.

Art. 375. In order to entitle the defendant to institute a demand, in reconvention, it is required that such demand, though different from the main action, be, nevertheless, necessarily connected with and incidental to the same; as, for instance, the demand instituted by the possessor in good faith against him who sues in order to evict him or for the purpose of obtaining the payment of the improvements made on the premises; *provided*, that when the plaintiff resides out of the State, or in the State, but in a different parish from the defendant, said defendant may institute a demand in reconvention against him for any cause, although such demand be not necessarily connected with or incidental to the main cause of action; and *provided further*, that in all cases of arrest, attachment, sequestration, provisional seizure and injunction the defendant may, in the same suit by reconventional demand, recover from the plaintiff the damages he may have sustained by the illegal resort to such writ.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 51.]

AN ACT

To protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantee and conditions upon which they are to be sold, and by fixing the penalties incurred by violations of such conditions; by providing for practical and other experiments in relation thereto; by reorganizing the Board of Agriculture, increasing its powers and those of the Commissioner of Agriculture; by creating an official chemist, defining his duties and powers, and by repealing laws in conflict herewith, etc.

Reorganization of the Bureau of Agriculture—its composition—authority to adopt rules for its administration.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the Bureau of Agriculture is hereby reorganized, and shall consist of the following members: the Governor of the State, the Commissioner of Agriculture, and the Vice President of the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College. The said

bureau, in addition to the power conferred on it by law, shall have power to make and establish rules to carry out the designs and purposes of this act, and in conformity thereto.

SEC. 2. *Be it further enacted, etc.,* That it shall be the duty of any manufacturer or dealer in commercial fertilizers, before the same are offered for sale in this State, to submit to the Commissioner of Agriculture a written or printed statement setting forth:

Duty of manufacturer and dealer in fertilizers before offering the same for sale.

First—The name and brand under which said fertilizer is to be sold, the number of pounds contained or to be contained in the package in which it is to be put upon the market for sale, and the name or names of the manufacturers, and the place of manufacture; *Second*—A statement setting forth the amount of the named ingredients which they are willing to guarantee said fertilizer to contain (1) nitrogen, (2) soluble phosphoric acid; *Third*—Reverted phosphoric acid; *Fourth*—Insoluble phosphoric acid; *Fifth*—Potash. Said statement, so to be furnished, shall be considered as constituting a guarantee to the purchaser that every package of such fertilizer contains not less than the amount of each ingredient set forth in the statements. This shall, however, not preclude the party making the statement from setting forth any other ingredient which his fertilizer may contain, which additional ingredient shall be considered as embraced in the guarantee above stated.

SEC. 3. *Be it further enacted, etc.,* That every person proposing to deal in commercial fertilizers shall, after filing the statement above provided for with the Commissioner of Agriculture, receive from the said Commissioner of Agriculture a certificate stating that he has complied with the foregoing section, which certificate shall be furnished by the commissioner without any charge therefor.

Certificate of compliance to be issued by Commissioner of Agriculture.

That the said certificate, when furnished, shall authorize the party receiving the same to manufacture for sale in this State, or to deal in this State in commercial fertilizers. That no person who has failed to file the statement aforesaid and to receive the certificate of authority aforesaid, shall be authorized to manufacture for sale in this State, or to deal in this State in commercial fertilizers. And any person so manufacturing for sale in this State, or so dealing, without having filed the aforesaid statement and received the certificate aforesaid, shall be liable for each violation to a fine not exceeding one thousand dollars, which fine shall be recoverable before any court of competent jurisdiction, at the suit of the Commissioner of Agriculture or of any citizen, and shall be disposed of as hereafter provided.

Certificate to authorize the manufacture of fertilizers for sale.

Penalty for violation of this section.

SEC. 4. *Be it further enacted, etc.,* That it shall be the duty of the Board of Agriculture or its Commissioners, at the opening of each season, to issue and distribute circulars, setting forth the brands of fertilizers sold in this State, their analysis as claimed by their manufacturers or dealers and their relative and, if known, their commercial value.

Circulars to be issued by the board.

SEC. 5. *Be it further enacted, etc.,* That it shall be the duty of the Commissioner of Agriculture, under the regulations of the said bureau, to cause to be prepared tags of suitable material, with proper fastenings for attaching the same to packages of fertilizers, and to have printed thereon the word "guaranteed," with the year or season in which they are to be used, and a facsimile

Duty of commissioner in procuring tags to be attached to packages of fertilizers.

of the signature of said commissioner. The said tags shall be furnished by said commissioner to any dealer in or manufacturer of commercial fertilizers, who shall have complied with the foregoing provisions of this act upon the payment by said dealer or manufacturer to the said commissioner, of fifty cents for a sufficient number of said tags to tag a ton of such commercial fertilizer.

Fees for said tags.

Duty of persons offering fertilizers for sale to attach tags to each bag, barrel or package thereof, designating the quantity therein

Penalty for violation of this act.

Penalty for counterfeiting tags.

Requirements for fertilizers, or chemicals for manufacturing or composting the same, before offering same for sale.

Samples of fertilizers to be obtained by the commissioner—analysis of the same to be made.

Samples to be drawn from lot or package whenever required.

Copy of analysis of any fertilizer or chemical, by the official chemist, admissible in evidence before any court.

SEC. 6. *Be it further enacted, etc.,* That it shall be the duty of every person, before offering for sale any commercial fertilizers in this State, to attach or cause to be attached to each bag, barrel or package thereof, one of the tags herein before described, designating the quantity of the fertilizer in the bag, barrel or package to which it is attached. Any person who shall sell, or offer for sale, any package of commercial fertilizer which has not been tagged as herein provided, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the sum of two hundred and fifty dollars for each offense; and the said person shall be, besides, liable to a penalty of one hundred and fifty dollars for each omission, which penalty may be sued for either by the Commissioner of Agriculture or by any other person for the uses hereinafter declared. Any person who shall counterfeit or use a counterfeit of the tag prescribed by this act, knowing the same to be counterfeited, or who shall use them a second time, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding five hundred dollars, one-half of which fine shall be paid to the informer; which fine may be doubled or trebled at each second or third conviction, and so on progressively for subsequent convictions.

SEC. 7. *Be it further enacted, etc.,* That all fertilizers or chemicals for manufacturing or composting the same, offered for sale or distribution in this State, shall have printed upon or attached to each bag, barrel or package, in such a manner as the Commissioner of Agriculture may, by regulation, establish the true analysis of such fertilizer or chemical as claimed by the manufacturer, showing the per cent of valuable ingredients such fertilizers or chemicals contain.

SEC. 8. *Be it further enacted, etc.,* That the Commissioner of Agriculture may obtain, or cause to be obtained, at his discretion, fair samples of all fertilizers sold or offered for sale in this State, from manufacturers or dealers, and shall have them analyzed by the official chemist, and shall publish the analysis for the information of the public.

SEC. 9. *Be it further enacted, etc.,* That it shall be the duty of every person who sells a lot or package of commercial fertilizer, upon the request of the purchaser, to draw from same, and in the presence of the purchaser or his agent, a fair and correct sample in such a manner as the Commissioner of Agriculture may, by regulation, establish.

SEC. 10. *Be it further enacted, etc.,* That the copy of the official chemist's analysis of any fertilizer or chemical, certified to by him, shall be admissible as evidence in any court of this State, on the trial of any issue involving the merits of said fertilizer.

SEC. 11. *Be it further enacted, etc.,* That the Bureau of Agriculture shall adopt needful rules and regulations providing for the collection of the money arising from the sales of tags, or from fines imposed under this act, and shall require the same to be deposited with the Treasurer of the State and only to be drawn herefrom upon the warrants issued by the Auditor of the State upon the requisition of the Commissioner of Agriculture, made in pursuance of such rules and regulations; and the said Commissioner of Agriculture shall be entitled to receive no fees for collecting or disbursing said money, except his salary as provided for by law; but he shall be allowed a clerk at the salary to be fixed by the said bureau and payable out of the fertilizer funds; and all sums of money arising from the provisions of this act shall be known as the "Fertilizer Fund," and shall be kept by the Treasurer separate from other public funds, and shall be exclusively used, as far as they may go, to defray the expenses of developing agriculture by making practical and scientific experiments in relation thereto.

Rules and regulations to be adopted by the board for the collection of money arising from sale of tags and from fines imposed by this act, and for their deposit in the State Treasury—mode and manner of drawing the same.

SEC. 12. *Be it further enacted, etc.,* That, for the purpose of making practical and scientific tests or experiments, it shall be the duty of said commissioner, subject to the approval of said bureau, to enter into contracts specifying the duration and conditions thereof, with a competent chemist and expert in experimental agriculture, to perform the duties of official chemist and to carry on and to conduct the experimental station established by said bureau at Baton Rouge; and with the Louisiana Scientific Agricultural Association, having an experimental station in the parish of Jefferson, and in making such contracts, the said commissioner shall provide that experiments be made for the development and benefit of agriculture, especially in relation to the standard crops of the State, such as cotton, sugar, rice, corn, the cereals and grasses and the like.

Authority upon the commissioner to enter into any contract with a competent chemist and expert to perform the duties of official chemist, to carry out the provisions of this act.

SEC. 13. *Be it further enacted, etc.,* That as compensation for the conduct of such experiments, the Commissioner of Agriculture be and he is hereby authorized to agree to apply the net result from the sale of tags and from fines or penalties imposed for violations of the terms of this act, to the two said stations, and if necessary, parts of other sums that may be appropriated by law and subject to the control of himself or said bureau; *provided*, that said contract shall not give more than one-half of the result of the sale of tags and fines to any one of said stations; *and provided further*, that the said stations undertake to perform for and on behalf of the Commissioner of Agriculture, under such regulations as may be agreed on, all analyses required under this act free of any charge whatsoever.

Compensation of the chemist for the conduct of experiments.

Proviso.

SEC. 14. *Be it further enacted, etc.,* That the director of the State Experiment Station shall be considered as the official chemist of the Bureau of Agriculture. He shall also attend such chemical and agricultural conventions as may be necessary; the traveling expenses incident to such attendance shall be chargeable and collectible from the revenues derived from the sale of tags.

Director of experiment station considered as the official chemist of the board—his duties—payment of his traveling expenses.

Account of tags received and sold by the commissioner, and of moneys collected by him arising from fines, to be kept by him.

Commercial fertilizers, or fertilizers, not to include lime, land plaster, cotton seed meal, ashes or common salt.

When this act will go into effect.

SEC. 15. *Be it further enacted, etc.,* That the Commissioner of Agriculture shall keep a correct and faithful account of all tags received and sold by him, showing the number sold, to whom sold and, as far as practicable, for what fertilizers they were intended to be used, and the amount of money collected therefor, and all money arising from fines, under this act.

SEC. 16. *Be it further enacted, etc.,* That the terms "commercial fertilizers," or "fertilizers," where same are used in this act shall not be held to include lime or land plaster, cotton seed meal, ashes or common salt, or raw bone not specially treated.

SEC. 17. *Be it further enacted, etc.,* That this act, as far as it relates to the use of tags, or the filing of statements in relation to fertilizers and penalties for its violation, shall not take effect until the first day of September next, and so far as it relates to other matters, shall take effect upon promulgation, and, all laws or parts of laws, only so far as they may conflict with this act are hereby rescinded and repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.
Approved July 3, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 52.]

AN ACT

Making an appropriation to pay amount due to F. F. Perrodin, District Attorney Thirteenth Judicial District, for additional compensation to certain district attorneys in the country parishes, in accordance with Act No. 58 of 1867.

Preamble.

Whereas, by the provisions of Act No. 56 of 1867, said F. F. Perrodin, District Attorney Thirteenth Judicial District, is entitled to the sum of two hundred and fifty dollars per annum for the years 1879, 1880, 1881, 1882, 1883, in representing the State in cases pending in the Supreme Court in said district, and whereas, the General Assembly has failed to make any appropriations to carry out the provisions of said act.

Appropriation of \$1250 in favor of F. F. Perrodin, district attorney 13th judicial district, for services as such in the Supreme Court from 1879 to 1883.

Be it therefore enacted by the General Assembly of the State of Louisiana, That the sum of twelve hundred and fifty dollars be and is hereby appropriated to said F. F. Perrodin, district attorney thirteenth judicial district, out of any funds in the State Treasury not otherwise appropriated, out of the General Funds of 1879, 1880, 1881, 1882, 1883.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.
Approved July 3, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 53.]

AN ACT

To prohibit the selling or giving away of intoxicating liquors within two miles of the Mount Lebanon College, situated in the town of Mount Lebanon, State of Louisiana, and to prescribe penalties for violation of this act. Due notice having been given according to law of the intention to apply for the passage of this local law; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That from and after the first day of January, 1887, it shall not be lawful for anyone to sell or give away intoxicating liquors, either spirituous, vinous or malt, in a public place, within two miles of the Mount Lebanon College, Bienville parish.

Sale of intoxicating liquors in a public place prohibited within two miles of Mount Lebanon College, Bienville parish.

SEC. 2. *Be it further enacted. etc.,* That any person or persons violating the provisions of this act shall be punished by a fine not less than fifty and not exceeding one hundred dollars, and in default of payment of said fine and all cost, shall be imprisoned in the parish jail for a period not exceeding ninety nor less than fifteen days.

Penalty for any violation of this act.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 54.]

AN ACT

To amend an act entitled to amend the third section of an act to establish the office of Inspector of Hay for the city and port of New Orleans, and to regulate the duties pertaining to same, approved March 28, 1867, approved September 18, 1868.

Due and legal notice, according to the requirements of Article 48 of the Constitution, having been given and proof thereof furnished.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the third section of Act No. 90, approved September 18, 1868, be amended and re-enacted so as to read as follows: That it shall be the duty of said Inspectors of Hay to inspect all lots of hay in the city and port of New Orleans on the levee or in store; they shall have a proper office or offices, which shall be open from eight o'clock in the morning until four o'clock in the afternoon, where shall be kept a complete record of all inspections of hay made by each inspector, disclosing the date of inspection, the name of the holder or owner of the hay inspected, gross and net weight, tare and classification; *provided,* that no hay shall be sold or consumed in the city and port of New Orleans until it has been once inspected, as provided for in this act, and that any person who shall sell or consume hay in

Duty of inspectors of hay in inspecting hay in the city and port of New Orleans—office to be kept by them—their office hours—record to be kept by them—manner of keeping the same.

Proviso.

said city and port that has not been inspected as aforesaid, **shall** be liable to a penalty of one dollar for every bale of hay so **sold** to be recovered with costs of suit in any court of competent jurisdiction.

SEC. 2. *Be it further enacted, etc.,* That this act shall take effect from and after its passage, and that all laws and parts of laws conflicting with the provisions of this act be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 55.]

AN ACT

Making it a crime for any person to practice, or to offer to practice, medicine or surgery in this State for pay, without having first complied with the provisions of Act No. 31 of the Acts of 1882, approved June 26, 1882, relative to the practice of medicine and surgery, and prescribing the punishment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* Whoever shall practice, or offer to practice, medicine or surgery in this State for pay, without having first complied with the provisions of Act No. 31 of the Acts of 1882, approved June 26, 1882, relative to the practice of medicine and surgery, shall be deemed guilty of a misdemeanor, and shall upon conviction be fined not less than fifty dollars, or imprisoned not more than three months, or both, at the discretion of the court.

Practice of medicine and surgery in this State, without having complied with the provisions of Act No. 31 of 1882, to be a misdemeanor—penalty for a violation of this act.

Fines imposed under this act to inure for the benefit of charity hospitals of parishes in which the offense is committed, or for the benefit of the school fund if there be no charity hospital—criminal prosecution not to bar civil action.

Provisions of this act not applicable to practitioners of medicine or surgery residing in other States, but who are summoned by registered physicians of this State.

SEC. 2. *Be it further enacted, etc.,* That all fines imposed by this act shall be for the benefit of the charity hospitals of the parishes in which the offense herein provided for may be committed, and in parishes where there is no such hospital, for the benefit of the public school fund. No criminal prosecution under Section 1 of this Act, shall bar the imposition of any fine by civil process provided by Section 6 of said Act 31 of the acts of 1882, nor shall the imposition of such fine bar such criminal prosecution.

SEC. 3. *Be it further enacted, etc.,* That this act shall not apply to practitioners of medicine and surgery residing and practicing in other States, who may be summoned in special instances to attend patients in the State of Louisiana by any registered physician.

SEC. 4. *Be it further enacted, etc.,* That this act shall take effect on and after the first day of January, 1887.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor, and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 56.]

AN ACT

Authorizing the Register of the State Land Office to advertise in newspapers in this State, notifying all persons holding claims against the public domain of the State of Louisiana, or orders to refund, to file said claims, with the evidence, in the office of the Register of Lands, on or before the 1st day of April, 1887; to authorize the Register to file and receipt for the same, and to report the same to the General Assembly at its next regular session; to recommend the appropriate relief therefor; to prohibit the Register from settling any such claims until the General Assembly shall have passed thereon; and to appropriate a sum necessary to defray the expenses of this procedure.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the Register of the State Land Office is hereby requested and empowered to advertise, in the official journal of the State and two prominent newspapers in this State, at least five times in each, notifying all persons holding internal improvement, school, location or other warrants, or scrip issued by the State of Louisiana, or any other claim upon the public domain, or "orders to refund," and all persons who have purchased lands in good faith from the State and have received therefor certificates or patents, and said entries have been cancelled on account of prior or duplicate entry or false survey, or rejected by the United States government, or rendered inoperative from any other cause which shall entitle the original patentee or his heirs or assigns to said claim, as shown by the chain of title, shall file with the Register of the State Land Office on or before the first day of April, 1887, all such claim or claims of whatever nature against the public domain of the State of Louisiana, with evidence of title; *provided*, that the register shall receipt for such claim, specifying in detail the nature and character of same, or return the same to the party filing said claim.

Duty of Register of Land Office to advertise and notify all persons holding internal improvement warrants, or school, location or other warrants, or scrip issued by the State, and all persons who have purchased lands in good faith with proper evidence, etc.

Proviso.

SEC. 2. *Be it further enacted, etc.,* That it shall be the duty of the Register of the State Land Office to report, in detail, to the General Assembly at its next regular session, all claims filed in the State Land Office, in accordance with the foregoing section, in order that the liabilities against the State may be definitely ascertained to form a basis for a bill to relieve all just claimants.

Report to be made by Register to General Assembly at its next session.

Prohibition on the Register of Land Office to settle any claim until passed upon by the General Assembly.

Appropriation of \$500 to carry out the provisions of this act.

SEC. 3. *Be it further enacted, etc.,* That the Register of the State Land Office is hereby prohibited from settling any claim of the nature referred to until the General Assembly will have passed upon the same.

SEC. 4. *Be it further enacted, etc.,* That the sum of \$500 and the same is hereby appropriated out of the revenue of 188 from the sale of swamp land, to defray the expenses incurred.

SEC. 5. *Be it further enacted, etc.,* That all laws, or parts of laws in conflict with the foregoing, be and the same are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,

Secretary of State.

No. 57.]

AN ACT

To provide for the restoration of public records and other papers destroyed by fire or in any other way.

How and in what manner original papers belonging to a suit now pending in any district court in this State, which has been or may be destroyed by burning of the court-house, or destroyed in any other manner, may be revived and reinstated.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That where any original papers appertaining to a suit pending in any District Court, in and for any parish in the State of Louisiana, has been or may hereafter be destroyed by the burning of the court-house of said parish, or destroyed in any other manner, said suits, together with all the papers, pleadings, bonds and other documents filed therein and making part thereof, may be revived and reinstated by either plaintiff or defendant filing with the clerk of said court a duly certified copy of the original petition, or by motion in open court, or in chambers, served on the opposite party, which motion shall contain the name and residence of the parties, the nature of the demand and cause of action, and the date of the filing of the original petition and service of citation, as near as can be ascertained, together with a statement of the pleading had in the suit, orders made and bonds filed, accompanied by affidavit of the parties, or their attorneys, as to the truth of facts allowed; upon filing which motion a rule may be taken on the opposite party, to show cause, within ten days from the service thereof, why said suit, pleadings, orders of court and bonds should not be reinstated.

Rule to be taken on the opposite party why said suit, pleadings, etc., should not be reinstated.

How answers to said rule are to be made.

If answer is made to said rule it shall be accompanied by the affidavit of the party or his attorney, as to the truth of the facts stated by him, and it shall be sufficient for either party to swear to the best of his knowledge and belief.

SEC. 2. *Be it further enacted, etc.,* That upon the production of a certified copy of any original judgment, either of the District Court, Parish Court, Circuit Court, Supreme Court, or certified copies of the same from the record of judicial mortgages, the clerk of the court of said parish where such destruction has taken place is hereby authorized to issue execution thereon; and where no copy exists, the owner of the said judgment, or his attorney, may obtain execution thereon upon presenting to the clerk of the court a statement, under oath, of the amount of such judgment or the balance due thereon; *provided*, that this section shall not be construed to prevent judgment from being established as other records provided for by this act.

Production of a certified copy of any original judgment of either the district, parish, circuit or supreme court, or a certified copy from the record of judicial mortgages, shall entitle the party owning same to execution thereon.

Proviso.

SEC. 3. *Be it further enacted, etc.,* That any person desiring to establish any deed, bond, mortgage, judgment, or any other instrument of writing which was of record, and deposited in any office held in said court-house, or in any other building for public records in said parish, and which was destroyed by fire, or in any other manner, may have the same established and revived, by applying to the District Court of said parish, by petition under oath, in which he shall describe such deed, bond, mortgage, judgment, or other instrument of writing, with as much specific certainty as possible, and which petition shall be served on the vendor, obligor, debtor or party in interest, if a resident; if an absentee, it shall be set forth, under oath, in the petition; and the judge shall appoint a curator ad hoc, to represent such absentee, upon whom petition and citation shall be served.

Manner of establishing any deed, bond, mortgage, judgment, or any other instrument of writing, which was of record and deposited in the court-house, or in any other public building for public records in the parish, and which was destroyed by fire or in any other manner, and how the same can be revived.

SEC. 4. *Be it further enacted, etc.,* That the party defendant in such application shall have the same delay as in other writs, and his answer, which shall be under oath, must either admit of the facts as stated in the petition, or deny the same wholly or partially; whereupon the judge shall proceed to trial, and after hearing evidence shall render judgment establishing or not such deed, bond, mortgage, judgment, or other instrument of writing, as the evidence proves to have existed, and no other issue is to be tried but the existence or non-existence of the document sought to be established; and when so established, it shall be executory and shall have the same force and effect as the original could have.

Delay allowed to party defendant in the application as in other writs—manner of proceeding and trial of such case.

SEC. 5. *Be it further enacted, etc.,* That the oath of the plaintiff to the allegations of his petition shall be *prima facie* evidence of the existence and contents of such deed, bond, mortgage, judgment or other instrument of writing, but may be rebutted by the denial, under oath, of the defendant.

Oath of plaintiff to be *prima facie* evidence of the existence and contents of such deed, mortgage, judgment, or other instrument of writing.

SEC. 6. *Be it further enacted, etc.,* That the costs incurred in suits to establish such instrument shall be paid by the plaintiff when there is no opposition, but if opposition be made it shall be paid by the party cast.

How and by whom costs in such cases are to be paid.

SEC. 7. *Be it further enacted, etc.,* That the recording of any certified copy of any judgment, in the office of the clerk of the District Court, ex-officio recorder of mortgages or conveyances of said parish, establishing any deed, bond, mortgage, judgment or other instrument of writing, shall have the same force and effect as the recording of the original deed, bond, mortgage, judgment or other instrument of writing, which was destroyed by the burning of any court-house or any other house in which public

Effect of recording of any certified copy of any judgment in the office of the clerk of the district court, ex-officio recorder of mortgages and conveyances, establishing such deed, mortgage, bond, judgment, or other instrument of writing

records are deposited in said parish, or destroyed in any other way.

Clerks, sheriffs, and recorders, or other officers' fees—how allowed them.

SEC. 8. *Be it further enacted, etc.,* That in all cases in which there are costs due any clerk, sheriff, parish recorder or other officer, they shall be allowed as in other cases upon such officer making a specific bill of costs certified under oath.

Parol evidence admissible to prove the existence of a judgment or any other instrument of writing, when the original has been lost or destroyed, as provided in this act.

SEC. 9. *Be it further enacted, etc.,* That the provisions of this Act shall not prevent the establishment of any judgment or any other instrument of writing, by parol evidence, where the original record has been destroyed by the burning of said court house or any other place of deposit of public records, or destroyed in any other way in said parish.

Certified copies from the record of any deed, bond, mortgage, or other instrument of writing, to be admissible in evidence and have the same effect as original.

SEC. 10. *Be it further enacted, etc.,* That certified copies from the record of any deed, bond, mortgage, or other instrument of writing shall be admissible as evidence, and shall have the same force and effect as certified copies of the original.

Duty of Secretary of State in supplying the court of the parish with books and reports when lost, as provided by this act.

SEC. 11. *Be it further enacted, etc.,* That the Secretary of State be and he is hereby required to supply the court of said parish, at the cost of the State, with such books and duplicate reports of the Supreme Court as he may have on hand, that were lost by the burning of the court-house of said parish upon the clerk of court furnishing said Secretary of State with a sworn statement of the books and reports lost.

Form of affidavit required by this act.

SEC. 12. *Be it further enacted, etc.,* That the affidavits required by this act shall be to the best of the knowledge and belief of the party making such affidavits.

SEC. 13. *Be it further enacted, etc.,* That all laws or parts of laws in conflict with this act are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.
Approved July 3, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 58.]

AN ACT

To re-establish the drainage of Bayou Fontaine, in the Parish of East Baton Rouge, and make an appropriation therefor.

\$10,000 appropriated out of Levee and Drainage Fund to re-establish the drainage of Bayou Fontaine.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the sum of ten thousand (\$10,000) dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of the "Levee and Drainage Fund," to re-establish the drainage of Bayou Fontaine, in the parish of East Baton Rouge.

SEC. 2. *Be it further enacted, etc.,* That in order to carry into effect the object of this act, a board of commissioners, all of whom shall be residents of the parish, shall be appointed, consisting of three members, one of whom shall be appointed by the Governor, who shall be the president of said board, and the other two members to be appointed by the police jury of said parish and by the city council of the city of Baton Rouge respectively.

Creation of board of commissioners to carry this act into effect—their qualifications—by whom appointed.

SEC. 3. *Be it further enacted, etc.,* That it shall be the duty of the board of commissioners, established by this act, to advertise for bids and enter into and make all contracts necessary, to carry this act into effect and let out said work to the lowest responsible bidder, in re-establishing the necessary drainage of said bayou by clearing it of obstructions and re-establishing its natural channel, and to dredge and reopen its old channel, wherever filled up and closed by deposits, in order to re-establish the ancient natural drain of Bayou Fontaine.

Duties of board of commissioners.

SEC. 4. *Be it further enacted, etc.,* That the commissioners appointed under this act shall give bond in solido, payable to the Governor and to be by him approved, in the sum of ten thousand (\$10,000) dollars, for the faithful performance of the duties imposed upon them by this act.

Bond of commissioners.

They shall, from time to time, report their acts and doings to the Governor, and shall make a detailed statement and final report upon completion of said work and, when approved by the Governor, he shall be authorized to cancel their bonds.

Commissioners to report to the Governor, and upon the completion of their work the Governor shall cancel their bonds.

SEC. 5. *Be it further enacted, etc.,* That said board of commissioners be and are hereby authorized to draw warrants against the appropriation herein made, from time to time as the work progresses; which said warrants, after having been approved by the Governor, shall be a sufficient voucher upon which the Auditor of Public Accounts shall issue his warrant for the payment of same.

Authority upon board of commissioners to draw warrants, to be approved by the Governor, as fast as the work progresses.

SEC. 6. *Be it further enacted, etc.,* That the Board of State Engineers, under direction of the board of commissioners, are hereby directed to make a survey and prepare plans and specifications for said work at once, and report same to said board of commissioners. The said Board of Engineers will supervise the work if called on to do so by the commissioners.

Board of State Engineers, under the direction of board of commissioners, to make a survey and prepare plans and specifications of the work to be done.

SEC. 7. *Be it further enacted, etc.,* That this act shall take effect from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 59.]

AN ACT

To incorporate the Board of Commissioners of the Tensas Basin Levee District, to define their powers, to prescribe their duties, to authorize them to levy taxes and assessments, to issue bonds and to provide for their payment, principal and interest, by taxation, and the proceeds of the sale of State lands, and to repeal Act No. 26 of the Session Acts of 1884 creating the Tensas Basin Levee District as now organized and all acts amendatory thereto, and all laws inconsistent with this act.

Morehouse, West Carroll, Richland, Franklin, and certain portions of Ouachita, Caldwell and Catahoula, east of the Ouachita and Black rivers, to constitute a levee district, to be known as the "Tensas Basin Levee District."

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the parishes of Morehouse, West Carroll, Richland and Franklin, and all that portion of the parishes of Ouachita, Caldwell and Catahoula, east of the Ouachita and Black rivers, be and they are hereby formed into a public levee district to be known as the "Tensas Basin Levee District;" the purposes of this district shall be the raising, by taxation or otherwise, a revenue to protect the lands therein from inundation; said taxation to be levied on the lands and other property in said district, subject to taxation for levee purposes, under Article 214 of the Constitution; but in all cases where it should be found that only a portion of the sixteenth of a section is subject to taxation for levee purposes, then the whole of said sixteenth of a section shall be valued or assessed, and the tax levied upon the portion thereof, subject to taxation, shall be upon the basis of said assessment.

Appointment of commissioners for each of the above named parishes—term of their offices—vacancies. how filled.

SEC. 2. *Be it further enacted, etc.*, That the Governor shall, immediately upon the passage of this act, appoint a competent person possessing all the requisites of a qualified elector from each of the parishes above named, to serve as a commissioner for his parish in said district; and they shall hold their offices during the term of the executive appointing them or until their successors are appointed and qualified, and in case of a vacancy by the death, resignation or inability of either or any or all of said commissioners to act, their places shall be filled by appointment by the Governor.

Style of board—their powers, authority, duties, domicile—power to sue and being sued.

SEC. 3. *Be it further enacted, etc.*, That said commissioners shall constitute a Board of Levee Commissioners and shall be styled the "Board of Levee Commissioners of the Tensas Basin Levee District," and they shall be and they are hereby constituted and created into a body politic with corporate powers; they shall have power to sue and shall be sued in their corporate name, and shall have a seal, and shall have the power to do and perform all the purposes of this act; the domicile of this corporation shall be at the town of Rayville, in the parish of Richland, and it shall be sued there, and service of citation shall, in all cases, be made upon its president, either in person or at his domicile during his absence wherever he may reside as in case of ordinary suits.

Governor to fix the first meeting of the board at Rayville—organization of board officers to be elected—duties of the president and secretary.

SEC. 4. *Be it further enacted, etc.*, That the Governor shall, at the time of the appointment of the commissioners under this act, appoint the time for their first meeting in the town of Rayville, at which time they shall meet and shall organize by the election of a president of their own number, and a secretary who shall be of their number or not, as they may decide. It shall be the duty

of the president to preside at all meetings, and of the secretary to keep a true and faithful record of all their proceedings; they shall have power to adopt all necessary and proper rules for their government in their proceedings, and in the absence of the president from any meeting of the said board, the members present shall select one of their number to fill the place for that meeting, who shall be vested with all the rights and powers that the president may have; *provided*, that at all meetings a majority of the members of said board shall constitute a quorum for the transaction of any business whatever.

SEC. 5. *Be it further enacted, etc.*, That for the purpose of raising a revenue said board are hereby authorized to levy, annually, such tax as may be authorized by Article 214 of the Constitution, upon all property in said district, subject to taxation for levee purposes; and the assessors of the several parishes and parts of parishes in said district are hereby required, on or before the first day of August of each year, to separately list all of the property subject to taxation for levee purposes in their parishes, or parts of parishes embraced within this district, and from these lists they shall prepare separate tax rolls on blanks to be furnished by the State Auditor, fully describing the property assessed as provided for under the general revenue law of the State, a copy of which shall be deposited in the office of the recorder, and another furnished the sheriff of the parish.

Power of board to levy annually a tax on all the taxable property within said district—separate rolls of assessment to be made for the listing of property subject to said tax.

SEC. 6. *Be it further enacted, etc.*, That in all cases where the assessors and taxpayers fail to agree as to the fact whether lands are subject to be listed and assessed under the provisions of this act, then it shall be the duty of the assessor to call in two respectable neighbors, one to be selected by the taxpayer and one by the assessor, and if the two taxpayers fail to agree, they shall select a third taxpayer, whose decision shall be final, but subject under the law to the appeal to the courts by either taxpayer or assessor. In failure by the taxpayer to select an arbitrator, when duly notified in writing by the assessor, in that case the assessor may select three respectable taxpaying neighbors nearest to the taxable property, who may decide the difference between the taxpayer and assessor; but said decision shall be subject to appeal to the courts by either party. Said arbitrators shall be sworn by the assessor according to the law, before entering upon their duty as arbitrators, and make up the list giving the numbers of the land or the amount of personal property to be assessed; *provided*, that all personal property attached to or belonging to a plantation, the whole of which is subject or any part of which is subject to taxation for levee purposes, and all stock kept for profit on lands liable to taxation for levee purposes shall be assessed.

In case of disagreement between the assessor and taxpayer, the assessor to call upon two neighbors, one to be selected by the taxpayer and the other by the assessor, and in the event of disagreement the two last shall select an umpire.

SEC. 7. *Be it further enacted, etc.*, That all of the assessors of the parishes belonging to this district, shall each receive as an annual compensation for all of his services required under this act, four (4) per cent of the levee taxes assessed in his parish, the same to be paid by the State Treasurer upon a warrant from the Auditor, and only out of the funds collected in the district for levee purposes.

Annual compensation allowed the assessors of above named parishes for their services under this act.

Compensation to sheriffs of the parishes within said district for the collection of the taxes levied under this act

SEC. 8. *Be it further enacted, etc.,* That whenever directed by the order of the board of commissioners for this district, the sheriffs of the parishes and parts of parishes comprising the district, shall proceed to collect the taxes levied on the tax rolls furnished him for this purpose, at the same time and in the same manner as is now or may hereafter be prescribed by law for the collection of State and parish taxes, and he shall receive compensation therefor at the same rate, and all taxes collected by him under this act shall be accounted for separately to the State Treasurer.

Annual contribution or assessment upon lands to be levied by the board for the purpose of raising additional funds for said district.

SEC. 9. *Be it further enacted, etc.,* That for the purpose of raising additional funds for said district, the said Board of Levee Commissioners shall have the power and it is hereby authorized to levy an annual contribution or assessment upon land not to exceed ten (10) cents per acre, upon all lands in said district subject to taxation for levee purposes; said contribution to be assessed and collected and paid into the State Treasury in the same manner and at the same time as the levee tax, provided for in this act.

Board authorized to issue bonds to the amount of \$150,000, in such sums and denominations as it may prescribe—form of bonds—when matured—bearing interest till paid—the proceeds to be applied for raising revenue to carry out the provisions of this act.

SEC. 10. *Be it further enacted, etc.,* That for the purpose of raising further additional funds for said district, said board of commissioners are hereby authorized and empowered to issue bonds to the amount of one hundred and fifty thousand dollars in such sums and denominations as said board may prescribe, not less than one hundred dollars each; said bonds shall be drawn payable to bearer, shall be signed by the president of the board officially, and attested by the signature of the secretary, and seal of said board of commissioners, and shall each have printed on the back the following: "This bond, principal and interest, secured by taxation and by the sale of public and State lands," all of said bonds to become due in twenty years, and payable in ten years, at the option of the board of levee commissioners, and they shall all bear interest at a rate not to exceed six (6) per cent. from the date of their issue, said interest to be evidenced by coupons attached to said bonds, payable annually at the office of the State Treasurer, out of the funds hereinafter provided.

Power and authority given said board to negotiate said bonds.

SEC. 11. *Be it further enacted, etc.,* That said board shall have the right to negotiate said bonds at a rate of discount not to exceed ten (10) per centum, or they shall have the right to give said bonds in payment for work done on levees in or out of the State, erected for the protection of said levee district, on terms and amounts to be agreed on with the contractor; *provided*, said bonds shall not be given in payment for work done at a greater rate of discount than ten (10) per cent; *and, provided further*, that the work shall be done under contract and under the supervision of the State Board of Engineers.

Interest accruing on said bonds to be paid out of the funds accruing from the collection of said levee tax.

SEC. 12. *Be it further enacted, etc.,* That the interest on said bonds shall be paid out of the funds arising from the collection of said levee tax, and the Treasurer of the State shall be and he is hereby authorized to pay any and all coupons that may be due, when presented by any bona fide owner and holder of any of said bonds, and a sufficient amount of said taxes shall always remain on hand to pay one year's interest on said bonds, and

shall not be diverted to any other purpose by any authority whatever.

SEC. 13. *Be it further enacted, etc.,* That in order to pay the principal of said bonds when due or to purchase the same before maturity, at not more than their face value, and to provide a sinking fund therefor, five (5) per cent. of the amount of said bonds shall be deposited annually with the Treasurer of the State for that purpose, out of any funds raised for levee purposes in said district, and the proceeds of the sales of all lands belonging to the State in said levee district which may be made by the State previous to the maturity of said bonds, shall be deposited with the State Treasurer for the same purpose.

Mode of payment of said bonds at maturity, or to purchase them before maturity.

SEC. 14. *Be it further enacted, etc.,* That in the event the said board shall neglect, fail or refuse to levy the taxes herein provided for, during any year before the maturity of said bonds, then any bona fide owner of all or any of said bonds shall have the right to compel said board, by mandamus or other legal process, to levy said tax, and in case of its refusal to obey the order of the court, the judge shall levy said tax, and the assessors shall then assess and extend said tax on their rolls, and the collectors shall collect said tax as if the same had been levied by said board.

Cases where the board will refuse, fail or neglect to levy the taxes above provided, by whom the same shall be made.

SEC. 15. *Be it further enacted, etc.,* That all moneys arising from the sale of any of said bonds, or that shall accrue to said district by taxation or otherwise, shall be placed to the credit of the "Tensas Basin Levee District," and shall be held and used exclusively for the construction, repair and maintenance of any and all public levees in or out of the State, which in the opinion of the Board of State Engineers will protect said levee district from overflow, and for the payment of the salaries of the members of said board and their secretary, and the actual and necessary costs of organizing said board and negotiating said bonds and putting this act in force, except the amounts provided for in this Act for the payment of the principal and interest of said bonds.

Moneys arising from sale of said bonds or otherwise, to be kept as a separate fund, and placed to the credit of the "Tensas Basin Levee District"—its uses and purposes.

SEC. 16. *Be it further enacted, etc.,* That all warrants drawn on the Treasurer of the State shall be signed by the president and attested by the signature of secretary and seal of the board, and for levee purposes shall only be drawn for work done in or out of the State under the orders and superintendence of the State Engineers, so long as they remain as now constituted under the law, otherwise under the order of the board of commissioners, or as may be provided by law.

Mode and manner of drawing warrants against the appropriations under this act.

SEC. 17. *Be it further enacted, etc.,* That the board of commissioners of the "Tensas Basin Levee District" shall have right to join in with any levee district embracing the counties of Chicot and Desha, in the State of Arkansas, for mutual protection, in compliance with Article 216 of the Constitution.

Authority upon the board to join in with any levee district embracing the counties of Chicot and Desha, in the State of Arkansas.

SEC. 18. *Be it further enacted, etc.,* That all moneys now in the Treasury to the credit of the "Tensas Basin Levee District" at present organized, and all moneys yet to accrue to said district, from any source, are hereby transferred to the credit of the district created by this Act, and the officers under this Act shall proceed to collect all taxes now assessed and unpaid in said district.

Transfer of certain funds in State Treasury to Tensas Basin Levee District, or to accrue thereto, to be placed to the levee district created under this act.

All funds derived from annual taxes levied upon all property subject to taxation and situated within the limits of said district, shall be placed to the credit of the Tensas Basin Levee District.

Compensation to be paid to the commissioners and their secretary.

Repeal of Act No. 26 of 1884.

SEC. 19. *Be it further enacted, etc.,* That all the funds derived from the taxes levied annually upon all property subject to taxation, throughout the limits of the parishes of Catahoula, Ouachita, Morehouse, Caldwell, West Carroll, Richland and Franklin, for the maintenance and repair of levees known as the General Engineer Fund, shall be placed by the State Treasurer to the credit of the "Tensas Basin Levee District" for levee purposes, as provided in this Act.

SEC. 20. *Be it further enacted, etc.,* That the members of the board of commissioners of the "Tensas Basin Levee District" and their secretary shall each receive a salary of four (\$4) dollars per day, while in actual attendance at the meetings of said board, and five cents per mile for distance traveled for once going to and returning from each meeting of said board, which shall be paid, as also all the other necessary expenses incurred in organizing said board, negotiating said bonds, and putting this Act in force, by warrants drawn on the State Treasurer, attested as above provided.

SEC. 21. *Be it further enacted, etc.,* That Act No. 26 of the session of 1884, creating the "Tensas Basin Levee District" as at present organized, and all Acts amendatory thereto, and all laws or parts of laws contrary to or in conflict herewith, be and the same are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 60.]

AN ACT

To amend and re-enact Act No. 83 of the year 1884, entitled "An Act to amend and re-enact Act No. 73 of the year 1882, entitled 'An Act relative to the distribution of the funds derived from the taxes levied on all property subject to taxation, for the maintenance and repair of levees.'"

Repeal of Act No. 83 of 1884.

Distribution of the General Engineer Fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That Act No. 83 of the year 1884, be amended and re-enacted so as to read as follows, to-wit: That the distribution of the funds derived from the taxes levied annually on all property subject to taxation, within the State, for the maintenance and repair of levees, known as the "General Engineer Fund," shall be distributed by the State Treasurer, in the year 1886, and each succeeding year, as follows, to-wit:

That seventy-seven per centum of the net amount of said money accruing to the General Engineer Fund shall be set aside and expended, as now provided by law, in what is known as the Levee Districts of the State, as now constituted, Tensas Basin Levee District excepted. That nine and one half per cent. of the net amount of the fund shall be set aside for and expended annually in such portions of the sub-districts of Caddo, Bossier, Red River and DeSoto, and part of Natchitoches north of township line between townships 9 and 10 north, or in either of them, in whole or in part, as may be determined by the Board of State Engineers.

Seventy-seven per cent thereof to be set apart as the "Levee District of the State" (the Tensas Basin Levee District excepted); nine and one-half per cent of the net amount to set apart to the credit of the Caddo, Bossier, Red River and DeSoto, and part of Natchitoches.

That three and one-half per cent. shall be expended annually in such portions of the sub-districts of Natchitoches, north of township line between townships 9 and 10 north, Rapides and Grant, or in either of them, as may be determined by the Board of State Engineers.

Three and one-half per cent to the subdistricts of Natchitoches, Rapides and Grant.

That ten per cent. of the net amount of the fund shall be set aside for and expended annually in the Tensas Basin Levee District, or in the State of Arkansas, in whole or in part, as shall be determined by the Board of Levee Engineers; *provided*, That the amount hereip set aside from the proceeds of the levee tax for use in the Tensas Basin Levee District and the sub-districts of Caddo, Bossier, Red River and that part of Natchitoches north of the dividing line between townships 9 and 10 north, shall be in lieu of the amount now received by said Tensas Basin Levee District, and of said sub-districts of Caddo, etc.

Ten per cent to the Tensas Basin Levee District.

SEC. 2. *Be it further enacted, etc.*, That when in the judgment of the Board of State Engineers it shall become necessary to use any more than the amount herein named in any district or sub-district, that they are hereby empowered to expend the amount which, in their judgment, seems most advantageous to the general good and welfare of the State, it being the true intent and meaning of this Act that the funds shall be distributed as herein apportioned in all ordinary emergencies, but should extraordinary emergencies arise then the whole of the General Engineer Fund may be applied, or any part thereof, as the board may, in their judgment, deem best and more judicious, and may be expended in any district or sub-district, or any part of such district or sub-district; *provided*, That no part of said levee fund shall be applied to the payment of any levee or levees built without previous contract with the State.

Discretion given the Board of State Engineers in drawing moneys to the credit of the several districts.

Proviso.

SEC. 3. *Be it further enacted, etc.*, That all parts of laws in conflict with this act be and the same are hereby repealed in so far as the same conflict herewith.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,
Lientenant Governor and President of the Senate.

Approved July 3, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

No. 61.]

AN ACT

To amend and re-enact Act 51 of the year 1884, entitled "An Act to establish a State Normal School and to provide for its administration and support."

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That Act No. 51 of the year 1884 be amended and re-enacted so as to read as follows, to-wit: That the State Normal School, located at the town of Natchitoches, in the parish of Natchitoches, in conformity with provisions under sections 4 and 8 of Act 51 of the year 1884, shall be open for the benefit of such white persons, of either sex, of suitable age and mental qualifications, as may desire and intend to teach in the public schools of Louisiana.

State Normal School, established at Natchitoches, to be opened for the benefit of such white persons, of either sex, with certain qualifications.

Composition of the board of administrators of the Normal School—how selected and appointed—their term of office—vacancies, how filled.

SEC. 2. *Be it further enacted, etc.,* That the Board of Administrators of said Normal School shall consist of five competent white citizens, who shall be selected and appointed by the State Board of Education, from the town of Natchitoches, and whose term of office shall be for four years, and who shall receive no compensation for services performed by them in connection with such office. In the event of vacancy by death or resignation, the same shall be filled by the State Board of Education.

Board to elect teachers, determine their compensation and manage the financial affairs of the school.

SEC. 3. *Be it further enacted, etc.,* That the Board of Administrators, as above constituted, shall elect all teachers employed in said school, determine their compensation, and manage the financial and other interests of the school.

Annual session—when held and for what length of time—composition of the faculty.

SEC. 4. *Be it further enacted, etc.,* That the annual session of the Normal School shall begin on the first Monday of October and continue for not less than seven months, nor more than eight months. The faculty shall consist of a president, who shall be ex-officio member of the Board of Administrators, and such additional instructors as the interests of the school may require.

Requirement from the members of the faculty.

In addition to the regular work of the session of the school the faculty shall be required to hold, each year, during a period of at least six weeks, a series of Teachers' Institutes, at different points in the State.

Time and place for holding the said institutes to be fixed by the president—course of studies.

The president of the faculty and the State Superintendent of Public Education shall determine the time and place of holding of these institutes, due notice of which shall be given at least thirty days before the close of the regular session of the school. The course of studies in the Normal School shall embrace a series of lectures upon the principles of education, the art and science of teaching, with such instruction in natural science, hygiene, physiology, and other useful branches of learning as the president of the faculty, with the approval of the board of administrators, may elect. The Normal School course may be divided into three years, but there shall be no preparatory department, nor shall any student be admitted to the school who is not sixteen years of age, who is not proficient in the ordinary branches of common school education, and who does not express a *bona fide* intention of teaching at least one year in the public schools of Louisiana after graduation. The board of administrators is hereby empowered to confer diplomas upon all graduates of the Normal School. The diploma of the State Normal School shall

Board of administrators authorized to confer diplomas—what the holder will be entitled to.

entitle its holder to a State teachers' certificate, which shall be valid for a period of four years from date of issue, at the expiration of which time it may be renewed by the State Board of Examiners, upon satisfactory evidence of the ability and progress of the teacher making application for the same.

SEC. 5. *Be it further enacted, etc.*, That instruction in said Normal School and teachers' institute shall be free.

Instruction in the Normal School and teachers' institute to be free.

SEC. 6. *Be it further enacted, etc.*, That for the support and maintenance of the said Normal School and teachers' institutes there shall be appropriated out of the General Fund of the State the sum of thirteen thousand dollars per annum, twelve thousand to the Normal School and one thousand for teachers' institutes, payable by the State Treasurer upon the warrant of the president of the board of administrators of the Normal School, countersigned by the secretary of the State Board of Education.

Appropriation of \$13,000 annually appropriated in the support and maintenance of the said Normal School—\$12,000 to the Normal School, and \$1000 to the teachers' institutes—mode and manner of drawing the same

SEC. 7. *Be it further enacted, etc.*, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

SEC. 8. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 5, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 62.] CONCURRENT RESOLUTION

Relative to the appointment of commissioners for the purpose of erecting a monument to ex-President Zachary Taylor.

Be it resolved by the House of Representatives of the State of Louisiana, the Senate concurring, That his Excellency, the Governor and Commander-in-Chief, and the Generals commanding the eight military districts of Louisiana, State troops, be and are hereby appointed as commissioners to act with the Louisiana Association Veterans of the Mexican War, for the purpose of erecting a monument at the city of New Orleans, State of Louisiana, in honor of ex-President Zachary Taylor and the gallant soldiers who fought and won the battles of "Palo Alto" and "Resaca de la Palma," May 8th and 9th, 1846.

Governor and the general commanding the eighth military district, appointed as commissioners to act with the Louisiana association of the veterans of the Mexican war, to erect a monument to the memory of ex President Zachary Taylor.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 5, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 63.] CONCURRENT RESOLUTION

Requesting the Senators and Representatives of Louisiana in Congress, to urge upon the Federal Bureau of Agriculture the necessity of an investigation of the causes of and the remedies for a disease affecting our domestic animals known as "charbon." *Whereas*, Louisiana has in the past years lost millions of dollars by charbon; *and whereas*, it is very desirable that the causes and remedies of a disease, affecting to such an extent our domestic animals, should be known; therefore,

Be it resolved by the House of Representatives and the Senate concurring, That our Senators be instructed and our Representatives be requested, at this session of Congress, to urge upon the Bureau of Agriculture in Washington, the necessity of detaching a scientist from said Bureau, to investigate the causes of the disease known as "charbon" and which now threatens so much injury to the stock in Louisiana and other States of the Union.

Resolution urging our members of Congress to obtain from Bureau of Agriculture, at Washington, the services of a scientist to investigate the causes of the disease called "Charbon."

Resolved further, That the Commissioner of Agriculture of the State of Louisiana, is hereby instructed to co-operate in said investigation.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved July 5, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 64.] CONCURRENT RESOLUTION

Relative to the improvement of the navigation of Calcasieu river.

Preamble.

Whereas, The Calcasieu river and its tributaries, lying on what is known as the Calcasieu basin, a large and only partially developed area of country in southwestern Louisiana, embracing a timber interest of vast proportions, and agricultural and mining resources of apparently unlimited possibilities, rich in the natural productions of both land and water; and,

Whereas, The Calcasieu river and its tributaries are the natural channels of the commerce of that section of country, affording, with the Gulf of Mexico, an easy, cheap and convenient way of communication between that section of country and domestic and foreign ports; and,

Whereas, The navigation of the river is obstructed by a bar at its entrance into the Gulf of Mexico, also by a bar at its entrance into what is known as "Calcasieu lake," and by a bar at its exit from said lake, which bars greatly obstruct the free navigation of said river and impose great delays and heavy burdens on the commerce of that section;

Be it resolved by the House of Representatives of the State of Louisiana, the Senate thereof concurring therein, That our Senators in Congress be instructed, and our Representatives there be requested, to urge upon Congress the passage of an act requiring the Federal government, through the proper department, to take measures necessary to remove the aforesaid bars, dredge and deepen the channel of said river, wherever necessary, to render the navigation of that river free and unobstructed, and give speedy, direct and safe transit to the commerce of that section, and making an appropriation of money sufficient to carry out the objects set forth in this resolution.

Resolutions requesting our delegation in Congress to use their exertions in requiring measures to be taken to remove the obstructions to the navigation of Lake Calcasieu and its tributaries.

Be it further resolved, etc., That the Governor be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 5, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 65.] CONCURRENT RESOLUTION

Relative to the improvement of our National Defenses.

Whereas, reports made to Congress by the President, Cabinet Officers, the Fortification Board, the Committees of the Senate and of the House, indicate that the Government of the United States is without forts, guns, ships or other defenses capable of successfully resisting a hostile attack made not only by any of the great powers of Europe, like Great Britain, France, Germany or Russia, but even by second or third rate powers, such as Spain, Chili or China; and

Preamble.

Whereas, This defenseless condition of our country is humiliating to our national pride and patriotism, is unbecoming a free people possessing the vast and unrivalled resources at our command, and has rightly caused profound anxiety and discontent amongst our people, manifested by all the methods of expression through which the popular will finds utterance, including the action of State legislatures, the voice of the public press and the declarations and appeals of private citizens; and especially is evidenced by a public letter from Samuel J. Tilden, a citizen so eminent, so wise and so held in the esteem and affection of the people, that his advice sways and influences millions of his admiring fellow-citizens; therefore,

Be it resolved by the General Assembly of the State of Louisiana, That we view with grave regret and disappointment the inaction of Congress in regard to making adequate and ample provision for the common defense of our country, and that Louisiana is

Expression of regret and disappointment on the part of General Assembly of the failure on the part of Congress to provide adequate and ample means for the common defense of our country.

willing to bear her share of the burdens to create a perfect and complete system of national defense for the protection of our seaboard and water and land frontier lines fronting on the Atlantic and Pacific Oceans; on the Mexican Gulf, and the great lakes and waterways of our northern boundaries; and that, in our opinion, the resources of the government should, without hesitation or stint, be devoted to creating the means and appliances capable of protecting our frontiers and exposed cities and coasts, and to the creation and building of a navy capable against all adversaries of sustaining American honor and interests at home and abroad, and affording some foundation and basis to the National Executive to assert and enforce our rights and policy, whether involved in the pursuits of our hardy fishermen of the Northeast, or complicated by efforts of European nations to establish new protectorates or colonies in Continental America, or over or upon its Isthmian connections, or upon any of its dependent islands; be it further

Resolved, That our Senators and Representatives in Congress be requested to use their best efforts for the adoption by Congress of the policy recommended in the foregoing preamble and resolution.

Be it further resolved, That the Governor be requested to send copies hereof to the presiding officers of the Senate and House of Representatives of the United States and to each of our Senators and Representatives in Congress.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 5, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,

Secretary of State.

No. 66.]

AN ACT

To authorize and empower the Auditor and the tax collectors of the parish of Orleans, and *ex officio* tax collectors throughout the State, to pay the balances due for costs and expenses incurred in adjudicating property to the State for taxes, for the years 1881, 1882 and 1883, since June 1, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the Auditor of the State and the tax collectors of the parish of Orleans, and *ex officio* tax collectors throughout the State, are hereby authorized and empowered to pay over to the New Orleans Bee and the Daily States Publishing Company, as per approved bills in the Auditor's office, and to all other parties or newspapers having approved claims for services rendered in adjudicating property to the State, money received or which may be received from costs of advertising and from redemptions of tax sales, to settle in full the balances due to said

State Auditor and tax collectors for the parish of Orleans to pay balance due the New Orleans Bee and the Daily States for printing and advertising sale of property for taxes due the State.

New Orleans Bee and Daily States Publishing Company for advertising property for sale for taxes for 1881, 1882 and 1883, since June 1, 1884; and to other parties having recognized claims for services rendered in adjudicating property to the State since said June 1, 1884; *provided*, that the costs herein referred to shall be paid only out of the money received in the parish respectively in which the costs were incurred.

SEC. 2. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved July 6, 1886. S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 67.]

AN ACT

To appropriate the sum of fourteen thousand dollars to the Southern University of New Orleans, for the purpose of aiding them in erecting a college building for the education of persons of color.

Due proof having been made of thirty days' public notice given of intention to introduce this act, as required by Article 48 of the State Constitution.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the sum of fourteen thousand dollars is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, and standing to the credit of the General Fund, to the Southern University of the city of New Orleans, established by Article No. 231 of the State Constitution and by Act No. 87 of the Legislature of the State of the year 1880, and amended by Act No. 65 of the year 1882, for the purpose of aiding, and the trustees of said University, in constructing their buildings for the education of persons of color situated in square bounded by Magazine, Constance, Dufossat and Soniat streets of said city.

Appropriation of \$14,000 to Southern University, in New Orleans, to aid in the construction of buildings for the education of persons of color.

SEC. 2. *Be it further enacted, etc.*, That the State Auditor is hereby authorized and directed to warrant on the State Treasurer, in favor of the Board of Trustees of the Southern University of the parish of Orleans, for the sum of fourteen thousand dollars, one-half out of the revenues of 1886, and the other half out of the revenues of 1887, for the purpose specified in section first of this act.

Mode and manner of drawing same.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved July 7, 1886. S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 68.]

AN ACT

Fixing the salary of the President of the State Board of Health.

Salary of President State Board of Health fixed at \$5,000.

Mode and manner of paying same.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That from and after the passage of this act, the annual salary of the President of the State Board of Health shall be five thousand dollars, payable monthly.

SEC. 2. *Be it further enacted, etc.*, That, of the above annual salary, the sum of two thousand six hundred dollars shall be paid from the revenues accruing and accrued to said board, and the remaining two thousand four hundred dollars payable as already provided by law.

SEC. 3. That all acts and parts of acts in conflict with the provisions of this are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 7, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 69.]

AN ACT

To suppress gambling with dice or cards, on the public highways or streets of the towns and cities, within the State of Louisiana, or within view of such public highways and streets; and to provide for the punishment thereof.

Gambling with dice and cards prohibited on public highways in this State, and in streets in any city or town.

Penalty for violating the provisions of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That it shall be unlawful for any person or persons to gamble with dice or cards on the public highways within the State, or on the public streets of any city or town within this State, or within view of such public highways or streets.

SEC. 2. *Be it further enacted, etc.*, That any person violating the provisions of the preceding section shall be deemed guilty of a misdemeanor, and on conviction shall be fined not more than fifty dollars, or imprisoned not more than sixty days, or both, at the discretion of the court.

SEC 3. *Be it further enacted, etc.*, That all laws in conflict with this act be and the same are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 7, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 70.]

AN ACT

Making it sufficient for plaintiffs and owners to recover in suits against railroad companies for loss of stock killed or injured by railroads, to prove the killing or injury, unless it be shown by the defendant company that the killing or injury was not the result of fault or carelessness on their part, or the negligent or indifferent running or management of their locomotives or trains.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That in suits against railroad companies for the loss of stock killed or injured by them, it shall be sufficient in order for the plaintiff and owner to recover, to prove the killing or injury, unless it be shown by the defendant company that the killing or injury was not the result of fault or carelessness on their part or the negligent or indifferent running or management of their locomotive or train.

In suits against railroad companies for loss of stock killed or injured by them, it shall be sufficient for plaintiff and owner to recover to prove the killing or injury.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 7, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

No. 71.]

AN ACT

To provide for supplying the loss, by fire, of the records of the Supreme Court at Opelousas.

Whereas, Notice of intention to apply for this bill has been published in the locality to be affected by it, as required by Article 48 of the Constitution ; therefore,

Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That when any transcript of a suit pending in the Supreme Court at Opelousas, has been destroyed by the burning of the court-house at that place, any party to said suit may re-instate the same by filing with the clerk of the Supreme Court at Opelousas, on or before the third day of the next regular term of said court at said place, another transcript in place of the one lost, accompanied with the affidavit of said party or his attorney, showing that said suit was pending and the transcript destroyed.

Where transcript of a suit pending before the Supreme Court, at Opelousas, has been destroyed by the burning of the court-house thereof, another transcript will have to be filed within the time therein prescribed, accompanied by affidavit.

SEC. 2. *Be it enacted, etc.,* That all parties to such suits shall be notified of the filing of such duplicate transcript by written notice, served upon them or their attorneys by the sheriff of the parish where such suit was instituted.

All parties to the suit to be notified of the filing of such transcript.

SEC. 3. *Be it enacted, etc.,* That the return of the service of such notice shall be filed in the office of the clerk of the Supreme Court at Opelousas, before any action shall be taken in said suit.

Return of the service of such notice to be filed in the Supreme Court.

Parties in such suit shall have the right to renew all motions and answers heretofore filed, and to make application for an extension of time to the said duplicate transcripts that there has not been sufficient time to complete the transcript.

Original lost, such transcript to be supplied by the sworn statement of its contents by the party introducing same.

SEC. 4. That the parties to such suit shall have a right to renew all motions and answers which they had filed in such suit, and the right to make application in chambers to the Chief Justice before the next session of said court at Opelousas, or to said court within the three first days of said session to obtain an extension of time to file said duplicate transcripts on affidavit of the party or their attorney that there has not been sufficient time to complete said transcripts.

SEC. 5. *Be it enacted, etc.,* That in case any original document had been filed in such lost transcript it may be supplied by the sworn statement of its contents by the party who introduced the same.

SEC. 6. *Be it enacted, etc.,* That this Act take effect from and after its passage.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 7, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 72.]

AN ACT

Providing for commutation of sentences for good behavior of convicts in the penitentiary and in the parish prisons of this State.

In what manner a convict sentenced to the penitentiary or the parish prison may earn commutation of the sentence passed upon him by court — graduation of time of commutation.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That every convict confined in the penitentiary or parish prison in this State on a conviction of a felony or misdemeanor, whether male or female, where the term or terms equal or equals one year or more, may earn for himself or herself a commutation or diminution of his or her sentence or sentences, as follows, namely: Two months for the first year, two months for the second year, three months each for the third and fourth years, and four months for each subsequent year, in the manner and subject to the provisions of the subsequent sections of this act.

Where a convict in the parish prison or penitentiary is held under more than one conviction the several terms to be construed as one continuing term.

SEC. 2. Where any convict in any parish prison or the penitentiary in this State is held under more than one conviction, the several terms of imprisonment imposed thereunder shall be construed as one continuing term for the purpose of estimating the amount of commutation which he or she may be entitled to under the provisions of this act. For the purpose of this act, the term of imprisonment of each convict shall begin on the date of his or her actual incarceration in a parish prison or the penitentiary, as the case may be.

SEC. 3. On any day not later than the twentieth day of each month, the sheriff of each of the parish prisons in this State, and the board of control of the penitentiary in this State, shall forward to the Governor a report directed to him, of any convict or convicts who may be discharged the following month by reason of the commutation of his or her sentence, or their sentences, in the manner hereinafter provided, which may be written or printed, or partly written and partly printed, which shall be uniform as to size and arrangement, which size and arrangement shall be fixed by the Governor, and shall contain the following information distinctly written, namely: The full name of the convict, together with any alias which he or she may be known to have, the name of the parish where the conviction was had, a brief description of the crime of which the convict was convicted, the court in which the conviction was had, the name of the presiding judge, the date of sentence, the date of reception in the prison or penitentiary, the amount of commutation recommended, and the date for discharge from the prison or penitentiary if allowed.

Report to be made by sheriff of each parish and by the board of control of State penitentiary, of persons entitled to be discharged under provisions of this act.

SEC. 4. That as soon as practicable after the passage of this Act, the Governor, Lieutenant Governor and Attorney General of the State shall formulate rules governing the allowance or disallowance of commutation to convicts for good conduct, in prison or penitentiary, which shall, in all cases, be strictly adhered to in the penitentiary and prisons in this State.

Governor, Lieutenant Governor and Attorney General to adopt rules allowing or disallowing commutations to convicts on account of good conduct.

SEC. 5. That for the purpose of applying the rules mentioned in the last section for the allowance or disallowance of commutation for the good conduct of any convict, the board of control shall act for the penitentiary, and a board shall be constituted in each parish to consist of the sheriff, district attorney and the clerk of the criminal court. These boards shall meet in their respective prisons, once in each month before the date fixed for the transmission of their report to the Governor, as hereinbefore provided; and proceed to determine the amount of commutation which they shall recommend to be allowed to any convict, which shall not in any case exceed the amount fixed by this Act. They shall have full discretion to recommend the withholding the allowance of commutation for good conduct, or a part thereof, as a punishment for offenses against the discipline of the prisons hereinbefore mentioned.

Board of control of State penitentiary and a board to consist of the sheriff, district attorney and clerk of criminal court, to be constituted as boards for carrying out the provisions of this act—powers and duties of said board.

SEC. 6. That in all cases where a board shall recommend the withholding of the allowance of the whole or any part of commutation for good conduct, the Governor, with the concurrence of the Lieutenant Governor, Attorney General and presiding judge of the court before which conviction was had, or any two of them, may, in his discretion, decrease or increase the amount of commutation as recommended by said board.

SEC. 7. In case any convict in any of the prisons escapes, he or she shall forfeit the full amount of commutation that they may be entitled to under this act at the time of the escape.

Escape from prison to forfeit right of commutation.

SEC. 8. The Governor shall, in commuting the sentences of convicts as provided for in this act, annex a condition to the effect that if any convict so commuted shall, during the period between the date of his or her discharge by reason of such commutation and the date of the expiration of the full term of which

Condition to be annexed to the pardon by Governor.

he or she was sentenced to, be convicted of any felony, he or she shall, in addition to the penalty which may be imposed for such felony committed in the interval as aforesaid, be compelled to serve in the prison or penitentiary in which he or she may be confined for the felony for which he or she is convicted, the remainder of the term without commutation which he or she would have been compelled to serve but for the commutation of his or her sentence, as provided for in this act.

Convict serving under a fifteen years' term in the penitentiary, and who has conducted himself so as to merit the approval of the board of control, shall apply for a pardon or commutation of sentence.

SEC. 9. That, whenever any person who has been convicted of a crime and sentenced to imprisonment for life, and who has served in the penitentiary fifteen years of said sentence, and who has during the fifteen years so conducted himself as to merit the approval of the board of control, he may apply for pardon or commutation of his sentence. And if said commutation or pardon be recommended by the board of control, it may be granted on the following terms and conditions: There shall not be more than one person out of every five confined to life imprisonment, pardoned or commuted in any one year under this act; if there be more than this number recommended by the board of control, then the names of all recommended shall be presented to the Governor and the persons to whom pardon or commutation may be granted to, shall be determined by lot or chance in such way as may be deemed proper by the Governor; *provided*, that the persons to whom commutation or pardon may be granted under the provisions of this act shall, after such determination by lot or chance, be recommended for commutation or pardon by the Lieutenant Governor, Attorney General and presiding judge of the court, before which conviction was had, or any two of them. And the names of the persons who may be recommended in any one year, who failed to secure the commutation or pardon, by lot or chance, shall be continued on the list of those eligible to such pardon; *provided*, that such person or persons shall continue to receive the recommendation of the board of control, by continued good conduct; *provided also*, that, in the event of any person, who has been recommended for pardon under this section, should not conduct himself or herself in a becoming and proper manner, or who shall infringe the prison rules or discipline, then such persons shall not be eligible to the provisions of this act, until said person has served three years longer, without censure from the prison authorities.

SEC. 10. That all acts and parts of acts in conflict with this act be and the same are hereby repealed. This act to take effect from and after its passage.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor, and President of the Senate.

Approved July 7, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 73.]

AN ACT

Creating an additional justice of the peace and constable for the fourth ward, parish of Plaquemines.

Whereas, Due notice of the intention to apply for the passage of this Act has been published in conformity to Article 48 of the Constitution.

Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That an additional justice of the peace and constable are hereby created and established for the fourth ward, parish of Plaquemines, to be located at Port Eads, the term of office of said justice and constable so appointed to terminate and expire at the next general election in the year 1888, or until their successors are elected and qualified.

Additional justice of the peace and constable created for the fourth ward of the parish of Plaquemines, to be located at "Port Eads," term of the first appointees.

SEC. 2. *Be it further enacted, etc.*, That the said justice and constable shall have the same fees of office as the justice and constable already elected for said ward, at the election held in April, 1884; they shall also have the same concurrent jurisdiction and powers. The successors of the said justice and constable shall be elected at the next general election in the year 1888, in the same manner as other justices and constables.

Powers, authority and fees of said justice of the peace and constable.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 7, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 74.]

AN ACT

Authorizing the District Judges throughout the State to appoint attorneys to represent the State in civil and criminal matters, when the district attorney from any cause cannot or will not act.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That district judges throughout the State, be and are hereby authorized and empowered to appoint a competent attorney to represent the State in criminal and civil matters pending before their courts, when, from any cause, the district attorney is recused, necessarily absent or sick; *provided*, the compensation for services rendered in such cases shall not exceed the fees now allowed by law to district attorneys for similar services,

District judges, throughout the State, to appoint attorneys to represent the State, in any civil or criminal case pending before the court when the district attorney is absent or sick.

Previso.

and said compensation shall come out of the fees which would otherwise go to the district attorney for such services.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved July 7, 1886,

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 75.]

JOINT RESOLUTION

Proposing to submit to the electors of this State an amendment to Article one hundred and eighty (180) of the Constitution of 1879 relative to the New Basin Canal and Shell Road.

Amendment to
Article 180 of the
State Constitution
relative to the New
Basin Canal and
Shell Road.

SECTION 1. *Be it resolved by the General Assembly of the State of Louisiana, (two-thirds of the members elected to each House concurring therein),* That Article one hundred and eighty of the Constitution of eighteen hundred and seventy-nine be amended and re-enacted so as to read as follows, viz:

ARTICLE 180. The New Basin Canal and Shell Road and their appurtenances shall not be leased nor alienated.

Mode and manner
of publishing the
proposed amend-
ment.

SEC. 2. *Be it further resolved, etc.,* That the aforesaid proposed amendment having been read in each House of the General Assembly, on three separate days, and the yeas and nays thereon having been entered on the journal of each House, the Secretary of State shall cause the same to be published in two newspapers published in the parish of Orleans, and one newspaper in each parish in which a newspaper is published, for three months preceding the next election for Representatives.

Proposed amend-
ment to be submit-
ted to the electors
for their approval
or rejection.

SEC. 3. *Be it further resolved, etc.,* That at said election the above amendments shall be submitted to the electors for their approval or rejection, in such a manner as to enable the electors to vote for or against said amendments.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved July 7, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

In relation to insurance companies, corporations, associations, partnerships and individuals of foreign governments, doing fire, river, inland navigation or marine insurance business in this State, limiting publication or rendering of statements, determining capital subject to taxation, collection of same, penalties and requirements.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That no fire, river, inland navigation or marine insurance company, corporation, association, partnerships or individuals, incorporated or organized under the laws of any foreign government, shall transact business in this State, unless it shall first deposit twenty-five thousand dollars and keep the same deposited with the Treasurer of this State for the benefit of the policy-holders of such company, citizens or residents of the State of Louisiana, bonds or securities of the United States or of the State of Louisiana.

Deposit of \$25,000 in the State Treasury shall be required, for the benefit of the policy holders of any company doing fire, river, inland or marine insurance business under the laws of any foreign government.

SEC. 2. *Be it further enacted, etc.,* The deposit required by the preceding section shall be held liable to pay the judgments of said policy-holders in such company, and may be so decreed by the court adjudicating the same.

Deposit above required to be held liable to pay judgments of policy holders against such company.

SEC. 3. *Be it further enacted, etc.,* If the deposit required by Section one of this Act has been made in any other State of the United States, under the laws of such State, in such manner as to secure equally all the said policy-holders of such company who are citizens and residents of the State of Louisiana, then no deposit shall be required in this State; but a certificate of such deposit under the hand and seal of the officer of such other State with whom the same has been made, shall be filed with the Secretary of State of Louisiana.

Where deposit has been made in any other State of the United States, in such a manner as to secure equally all the policy holders of said company, no deposits shall be required in this State, but a certificate of that fact shall be deposited in the office of the Secretary of State.

SEC. 4. *Be it further enacted, etc.,* It shall be the duty of every insurance company, organized or incorporated under the laws of any foreign government, doing business in this State, whether fire, river, marine, or inland navigation, to publish annually, in the daily newspaper having the largest circulation published in the parish wherein said insurance company may be located, within sixty days after 31st of December of each year, a certificate from the Secretary of State that such company has, in all respects, complied with the laws in relation to insurance.

Insurance companies to publish annually, after the 31st day of December of each year, a certificate from the Secretary of State showing compliance by said company with the laws of this State.

SEC. 5. *Be it further enacted, etc.,* The Secretary of State is hereby prohibited from making any publication or statement in his annual report to the Legislature, which gives credit for the assets held or business done by any insurance company, organized under the laws of any foreign government or country, and authorized to transact business in this State, other than for assets held for the protection of all the policy-holders or business done within the United States. Hereafter all foreign fire, river, marine or inland navigation insurance companies, making statements or reports to the Secretary of State, shall only report and be credited with the business done in this State, and assets held by or for them, within the United States; and it shall not be lawful for such companies to make any statement, publication

Secretary of State prohibited from publishing any statement in his annual report which gives credit for the assets held or business done by any insurance company organized under the laws of a foreign government or country, other than for assets held for protection of policy holders or business done within United States—form of reports to be made.

or advertisements in regard to their assets and business except as hereinbefore mentioned.

Foreign insurance companies prohibited from making any contract of insurance for any greater amount in proportion to its capital.

Certificate of the Secretary of State necessary before any insurance company shall be admitted to do business in this State.

How the capital stock of such company shall be formed and expressed.

Proviso.

Detail statement, under oath, to be filed with Secretary of State—examination of assets to be made by Secretary of State—duty of Secretary of State to issue certificate of compliance with the provisions of this act.

SEC. 6. *Be it further enacted, etc.,* No foreign insurance company shall make any contract of insurance of any kind or description, against loss or damage by fire, river, marine, or inland navigation risks, nor expose themselves to any such loss by any one risk or hazard, for any greater amount in proportion to its capital, as determined by the provisions of this Act, than companies organized under the laws of this State may do. And no foreign insurance company shall be admitted to transact business in this State, or take risks until in addition to all other requirements of the laws now in force in this State, such company shall comply with the provisions of this Act, and receive from the Secretary of State his certificate of same.

SEC. 7. *Be it further enacted, etc.,* The capital stock of such foreign insurance company, doing fire, river, marine, or inland navigation insurance business in this State, or any such company hereafter admitted to such business in this State, shall, for all the purposes of this Act and of the general insurance laws of this State, be the aggregate value of such sums or securities as such company shall have on deposit with the Secretary of State and other insurance departments of the other States of the United States, for the benefit of policy-holders in any of such States, or in the United States; and all bonds and mortgages, for money loaned on real estate in this State, or any State of the United States; *provided*, such loans have been made in conformity with the laws of such States, providing for the incorporation of insurance companies therein, and the investment of their capital and all other assets and property in the United States, in which fire, river, marine, or inland navigation insurance companies organized under the laws of this State may, by the laws thereof, invest; *provided*, such bonds and mortgages, assets and property shall be vested in and held in the United States by trustees and citizens of the United States, for the general benefit and security of all its policy-holders and creditors in the United States, after taking from such aggregate value the same deductions for losses, debts and liabilities in this and the other States of the United States, and for premiums upon risks therein not yet expired, as is authorized or required by the laws of this State or the regulations with respect to fire, river, marine, or inland navigation, insurance companies, organized under the laws of this State. The said trustees are hereby authorized to invest in and hold and convey real estate to the same extent, and subject to the same restrictions, rules and regulations to which companies incorporated in this State are subject.

SEC. 8. *Be it further enacted, etc.,* To determine the amount of such capital the agent or attorney of such foreign insurance company doing fire, river, marine, or inland navigation insurance business in this State, shall, within four months after the passage of this Act, and in the month of February of every year thereafter, render to him a detailed statement of the items making up the said capital, and of the deductions to be made therefrom, subscribed and verified by the oath of said agent or attorney, and said Secretary of State shall have authority to make such examinations in respect to such assets and liabilities as he shall

deem proper, and upon compliance with the requirements of this Act, it shall be his duty thereupon and from year to year thereafter to issue to such foreign insurance company a certificate of the amount of its so determined capital, and that the requirements of this Act have been complied with, upon which capital it may transact business in this State, but subject to all the restrictions and limitations of the laws regulating fire, river, marine, or inland navigation insurance companies, incorporated under the laws of this State.

SEC. 9. *Be it further enacted, etc.,* The trustees referred to in the seventh section of this Act shall be appointed directly by the board of managers or directors of such foreign insurance company, and a duly certified copy of the vote or resolution by which they were appointed shall, together with a certified copy of the trust deed or instrument under which they are to act be filed with the Secretary of State.

Trustees, mentioned in section 7 of this act, to be appointed by the board of managers or directors of said company—certified copy of the vote or resolution of such appointment, together with the copy of trust deed, to be filed with Secretary of State

SEC. 10. *Be it further enacted, etc.,* The capital of any fire, river, marine, or inland navigation insurance company, so determined and certified, shall be subject to taxation, the same as the capital of fire insurance companies organized under the laws of this State, to be levied, assessed and collected as prescribed by the laws of this State, at such place in this State as such foreign insurance companies shall have its principal office; *provided, however,* that said capital has not been taxed and paid by the main agency or company in any other State, then taxation shall be levied upon the gross receipts, less deductions governing companies organized under the laws of this State.

Capital thus determined and certified shall be subject to taxation.

Proviso.

SEC. 11. *Be it further enacted, etc.,* Any violation of any of the provisions of this Act shall subject the party so violating to a penalty of five hundred dollars for each violation, recoverable by the State, which shall be sued for by the Attorney General or District Attorney, and recovered before any court of competent jurisdiction, and said fine, when recovered, shall accrue to the benefit of and be paid to the Charity Hospital of New Orleans.

Penalty for any violation of the provisions of this act.

SEC. 12. *Be it further enacted, etc.,* The term "foreign insurance company," as used in this Act, includes any company, corporation, association, partnership or individual of any foreign government, doing fire, river, marine, or inland navigation insurance business in this State, whether incorporated or not.

Signification of the words "Foreign Insurance Company."

SEC. 13. *Be it further enacted, etc.,* No foreign insurance company shall be admitted to transact a fire, river, marine, or inland navigation insurance business or take any risks through any agent, agents or attorney, until they shall have filed with the Secretary of State a copy of their charter, officially verified, a certified copy of a statement of their affairs, a certified copy of the vote or resolution by which their agent or agents were appointed in the United States, and this State, together with a certified copy of the trust deed or instrument under which they are to act, defining their powers, and if the agent or agents' appointment in this State is derived from the general agent for the United States, said agent or agents shall be further vested. "That service of legal process, original *mesne* or final on such

Insurance companies, under the provisions of this act, to file with Secretary of State a copy of their charter officially verified, a certified copy of statement of their affairs, a certified copy of the vote or resolution appointing their agents and a certified copy of the trust deed or instrument under which they are to act.

agent shall be taken and held as valid as if served on the company, and that acknowledgment of service of such process by him, for or on behalf of such company, shall be obligatory on it, and that judgment recovered on such service or acknowledgment shall be conclusive evidence of the indebtedness of the company."

Notice to be given by the Secretary of State for sixty days before any withdrawal of any company, either of its deposit or of the certificate of compliance.

SEC. 14. *Be it enacted, etc.*, That neither the deposit nor certificate of deposit required by this Act (Secs. 1 and 2) shall be withdrawn by any foreign person or company until after the Secretary of State shall, for a term of sixty days, give notice in one newspaper having the largest circulation published in New Orleans and the State official journal, addressed to all residents of this State, holding policies issued by said person or company, to come forward and judicially assert any demands they may have arising from said policies.

SEC. 15. *Be it further enacted, etc.*, That all laws or parts of laws inconsistent or in conflict with the provisions of this Act are hereby repealed, and this Act shall take effect and be in force from and after the 31st of December, 1886.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 77.]

AN ACT

To amend and re-enact Section 918 of the Revised Statutes of 1870, relative to placing obstructions upon, or in any way interfering with railways, and to increase the penalty therefor.

Penalty for placing obstructions upon railroads.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That Section 918 of the Revised Statutes of 1870 be amended and re-enacted so as to read as follows: "Whoever shall place any obstruction upon any railway within this State, with intent to hinder, or obstruct, or impede, or endanger free passing thereon, or with the design to injure the said railway, or the passengers, or engine, or cars passing thereon, or whoever shall take up, or loosen, or remove any part of the superstructure of any railway, with like intent or design, or whoever shall displace any switch upon any railway, with like intent or design, shall, on conviction thereof, be sentenced to imprisonment in the State Penitentiary for twenty years, and be fined at the discretion of the court; *provided*, the prosecution and punishment of all offenses committed previous to the passage of this Act, shall be conducted in conformity with the laws in force previous to the passage of this Act.

Penalty for a violation of this act.

How prosecution shall be conducted and punishment inflicted.

SEC. 2. *Be it further enacted, etc.,* That this Act shall take effect from and after its passage, and that all laws and parts of laws in conflict with the provisions of this Act be and are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 78.] AN ACT

To prescribe the manner in which the public levees are to be built in places where the line of levee crosses a bayou or slough, and to require the State Board of Engineers to observe the same in giving out contracts.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That from and after the passage of this Act, whenever it becomes necessary to build any public levee in this State and the line of said levee shall cross any bayou or slough, the said levee shall be so constructed as to have a banquet or berme, against the rear base of said levee, at the crossing of said slough or bayou, which banquet or berme shall be built up to the level of the roadway on each side of said bayou or slough, and shall be twenty feet wide on top.

Construction of levees across any bayou or slough in this State.

SEC. 2. *Be it further enacted, etc.,* That the State Board of Engineers, in letting out levee contracts, shall provide for the observance of the requirements contained in Section 1 of this Act.

Duty of the State Board of Engineers in letting out the contract.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 79.] AN ACT

Authorizing the tax due by the Vicksburg, Shreveport and Pacific Railroad Company to the State for the years 1880, 1881, 1882 and 1883, to be placed to the credit of the Tensas Basin Levee District and Fifth Levee District for levee purposes, and authorizing the parishes of Ouachita, Richland and Madison to appropriate money to said district for the same purpose.

State taxes due the State by Vicksburg, Shreveport and Texas Pacific Railroad Company in and for the parishes of Ouachita, Richland and Madison, for the years 1880, 1881, 1882 and 1883, when paid, to be placed to the credit of the Tensas Basin Levee District.

Police juries of Ouachita and Richland to appropriate all moneys derived from the collection of parish taxes due by said railroad company up to 1886 to the said Tensas Basin Levee District.

SECTION 1. *Therefore, be it enacted by the General Assembly of the State of Louisiana,* That all the State taxes due by the Vicksburg, Shreveport and Texas Pacific Railroad Company, in and for the parishes of Ouachita, Richland and Madison, for the years 1880, 1881, 1882 and 1883 shall, when paid into the Treasury of the State, be at once placed to the credit of the Tensas Basin Levee District, and those due by the parish of Madison shall be placed to the credit of the Fifth Levee District, to be used in the manner now provided by law in constructing, repairing and maintaining any and all levees in the State of Arkansas (said State consenting) that will protect said district from overflow.

SEC. 2. *Be it further enacted, etc.,* That it shall be lawful, and the police juries of said parishes of Ouachita and Richland are hereby authorized, to appropriate all moneys to be derived from the collection of the parish taxes due by said railroad company up to the year 1886, and not otherwise appropriated and not necessary for the payment of debts, to the said Tensas Basin Levee District; to be also used in constructing and repairing the levees in the State of Arkansas to protect said district from overflow.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 80.]

AN ACT

To amend and re-enact Act 105 (session of 1884), entitled "An Act to amend and re-enact Act 94, session 1880, an act entitled 'An Act to regulate the number of employes of the Register of Conveyances for the parish of Orleans, and to fix their salaries.'"

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the Register of Conveyances for the parish of Orleans be and he is hereby authorized to appoint and employ the following deputies or clerks at the salaries herein specified:

Two certificate clerks and salaries.

Two certificate clerks at fifteen hundred dollars each per annum.

Three assistant or recording clerks and salaries.

Three assistant or recording clerks at twelve hundred dollars each per annum.

Two assistant or recording clerks and salaries.

Two assistant or recording clerks at one thousand dollars each per annum.

One porter and salary.

One porter at six hundred dollars per annum.

SEC. 2. *Be it further enacted, etc.,* That this act shall take effect from and after its promulgation.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 81.]

AN ACT

To prohibit the sale in this State of oleomargarine, butterine or other substitutes as butter, and to provide a penalty for the violation of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the sale of all substances, such as oleomargarine, butterine, bogus butter or other material, either separately or in combination with any substances other than the product of the cow, as butter, is hereby prohibited.

Prohibition of the sale of all substance such as oleomargarine, butterine, bogus butter, etc.

SEC. 2. *Be it further enacted, etc.,* That any merchant, grocer or other person doing business in this State, who shall barter, sell, handle or give away any of the substances mentioned in the first section of this act, except when so labeled as unmistakably to indicate their true composition, shall be guilty of a violation of the first section of this act, and on conviction of the same before any court of competent jurisdiction, shall be punished by fine or imprisonment, or both, at the discretion of the court.

Penalty for violation of this act.

SEC. 3. *Be it further enacted, etc.,* That all laws or parts of laws in conflict with this act are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 82.]

AN ACT

Regulating Insurance Companies conducting business in this State, either domiciliated, or by agent, as to the rebate allowed by same, and fixing the penalties for violation of the provisions of this Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That it shall not be lawful for any insurance com-

Insurance companies conducting or doing business in this State, whether domiciliated in this State or doing business therein, prohibited to allow any rebate on policy.

Penalty for violation of this act.

pany conducting or doing business in this State, whether same be domiciliated in this State, or doing business through an agent, to allow any rebate on any policy effected in their respective companies, but it shall be their duty to make the net premium, and such net premium shall appear in the body, and be embraced in said policy, and no rebate nor allowance shall be made, either by endorsement on said policy or otherwise; nor shall it be lawful to give any rebate on open policies effected in any insurance company doing business in this State, either in money or in insurance scrip or otherwise.

SEC. 2. *Be it further enacted, etc.,* That any insurance company violating the provisions of this act, they shall forfeit their charter and not be allowed to do or carry on any business in this State, either by them or their agent, and shall be liable to any person or persons who shall suffer thereby to refund double the amount of such rebate and all damages, such as attorneys' fees or otherwise caused thereby in case of suit.

SEC. 3. *Be it further enacted, etc.,* That all laws or parts of laws contrary to the provisions of this act, be and the same are hereby repealed, and that this act shall take effect from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 83.]

AN ACT

To amend and re-enact section 910 of the Revised Statutes of 1870.

Penalty for keeping a grog-shop or tippling house, or retail spirituous or intoxicating liquors without a license from the police jury, town or city authorities—discretion of jury in such cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That Section 910 of the Revised Statutes of 1870 be amended and re-enacted so as to read as follows: Section 910. Whoever shall keep a grog or tippling shop, or retail spirituous, or intoxicating liquors, without previously obtaining a license from the police jury, town or city authorities, on conviction, shall be fined not less than one hundred nor more than five hundred dollars, and in default of payment shall be imprisoned not less than thirty days nor more than four months: where it is contended, in prosecutions for the violation of this section, that said spirituous or intoxicating liquors were prescribed and sold as a medicine, it shall be for the jury to decide whether such prescription and sale were made in good faith and in case of sickness or as a mere subterfuge, and with intent to evade the provisions of this section.

SEC. 2. *Be it further enacted, etc.,* That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

True copy from the original :

OSCAR ARROYO,

Secretary of State.

[No. 84.]

AN ACT

Retaining Walter B. Sommerville and Omer Villere counsel for the State of Louisiana, in the matter of the succession of Kate Townsend, fixing their fee, and authorizing the Public Administrator of the parish of Orleans to pay said fee.

Whereas, Due notice, in accordance with the requirements of Article 48 of the Constitution of the State, of intention to apply for the passage of this act has been published during thirty days; and,

Preamble.

Whereas, Walter B. Sommerville and Omer Villere, attorneys at law, have appeared as counsel for the State of Louisiana, and conducted for her a suit claiming the estate of the late Kate Townsend and opposing Troisville Sykes, Ellen Tully et als, claiming as universal legatee, heirs, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That Walter B. Sommerville and Omer Villere be and they are hereby authorized to continue to act as counsel for the State of Louisiana in the matter of the succession of Kate Townsend, and to prosecute and defend the interests of the State therein until final judgment.

Authority to W. B. Sommerville and Omer Villere to continue to act as counsel for the State in the matter of the succession of Kate Townsend.

SEC. 2. *Be it further enacted, etc.,* That the fee of said counsel for services rendered and to be rendered by them in said succession is hereby fixed at twenty-five per centum on the amount which they may recover for the State; said fees shall be taxed as costs by the court, and shall be paid to said counsel by the public administrator for the parish of Orleans out of any fund or funds now or which may hereafter come into his hands as administrator or executor of the succession of Kate Townsend, and which shall be decreed to be turned over by him to the State of Louisiana from the said succession of Kate Townsend.

Fixing their compensation.

Provided, That the fee herein fixed and agreed upon shall be entirely contingent, and in no case shall the State ever be liable for any other fee or compensation to said counsel in any sum; and, *provided, further*, that the Attorney General shall retain and have the supervision of said case, and nothing herein contained

Proviso.

shall be construed so as to deprive him of the control and supervision of said case.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,
Lientenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original :
OSCAR ARROYO,
Secretary of State.

No. 85.]

AN ACT

To make it a crime for any physician or practitioner of medicine to prescribe spirituous or intoxicating liquors with intent to evade, or with intent to assist others to evade, the payment of any license required by any State law or parochial or municipal ordinance for the sale of said spirituous or intoxicating liquors, or with intent to evade, or with intent to assist others to evade, any such law or ordinance prohibiting the sale of said spirituous or intoxicating liquors, and to prescribe the punishment therefor.

Penalty against physician or practitioner of medicine for prescribing spirituous or intoxicating liquors to any one with intent to evade or to assist in evading the payment of licenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That any physician or practitioner of medicine who shall prescribe spirituous or intoxicating liquors for any person with intent to evade, or with intent to assist others to evade the payment of any license required by any State law, or by any parochial or municipal ordinance, for the sale of said spirituous or intoxicating liquors, or with intent to evade, or with intent to assist others to evade any such law or ordinance prohibiting the sale of said spirituous or intoxicating liquors, shall be deemed guilty of a crime, and shall, upon conviction, be fined not less than one hundred, nor more than five hundred dollars, and be imprisoned not less than thirty days nor more than four months.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,
Lientenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original :
OSCAR ARROYO,
Secretary of State.

o. 86.]

AN ACT

to amend and re-enact Sections 6 and 7 of Act No. 127, of the Acts of 1880, entitled "An Act to provide for the appointment of a Superintendent and other officers and employees of the New Basin Canal and Shell Road, prescribing his duties; fixing his salary and limiting the expenses of said Basin Canal and Shell Road.

Whereas, Article 180 of the Constitution provides that the depth of water to be maintained in the canal basin and on the bar at the mouth, shall be kept at the depth of at least eight feet, and provides further that all expenses of improving and maintaining said canal, shell road and appurtenances, including the wages and salaries of the employees, shall be paid out of the revenue thereof and not otherwise; and provides further, that tonnage dues on all vessels entering therein, shall not exceed ten cents per ton on the measurement tonnage; and

Preamble.

Whereas, It is necessary, in order to provide for the carrying out of the said provisions of said Article 180 of the Constitution, said Section 6 and 7 be amended as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That Section 6 of Act 127 of the acts of 1880, entitled "an act to provide for the appointment of a superintendent and other officers and employees of the New Basin Canal and Shell Road, prescribing his duties, fixing his salary and limiting the expenditures of said New Basin Canal and Shell Road," be and the same is hereby amended and re-enacted so as to read as follows: "That the Governor of this State shall, without delay, cause to be provided by purchase or contract, a suitable propeller or tug of sufficient dimensions and power, to perform all necessary towage, through or in said New Basin or Canal, and that the fees for such towage shall not exceed ten (10) cents per ton each way, and under contract at least five (5) cents per ton of the towage each way, shall accrue to the State free of all charges and diminutions; that said towage shall be payable at the office of said canal, at the time of procuring her pass for the regular tonnage of ten (10) cents per ton, as provided for in Article 180 of the Constitution, and that a ticket, separate from her regular pass, shall be delivered to said vessel as evidence that said tonnage has been paid, and shall be delivered up, together with the pass, before passing through the toll-bridge; *provided*, that all propellers or tugs, towing their own barges or flats, shall be exempt from all dues; *provided*, they carry no freights; *and, provided further*, that all steamers or other vessels, plying to the coast watering places, may be permitted to enter said canal, and remaining below the present lower or outer bridge, to discharge and take on board her passengers or freight, shall pay only one (1) cent per tonnage measurement, but shall pay the regular dues and tonnage on all barges used by them for moving their cargoes through said canal; but no vessel or watercraft coming in said canal in stress of weather, or pleasure or race yachts, shall be liable for any dues; *provided*, they remain below the said outer bridge."

Amendment of
Sec. 6 of Act No.
127 of 1880.

Proposed amendment.

Governor authorized to purchase or contract for a propeller or tug for towing through or in the New Basin or canal—fees for towage.

Proviso.

Amendment of
Sec. 7 of Act 127 of
1880.

SEC. 2. *Be it further enacted, etc.,* That section 7 of act No. 127 of the acts of 1880, be and the same is hereby amended and re-enacted so as to read as follows:

Fees for rafts of
logs, or square or
spartimber, or frac-
tion thereof.

That all rafts of logs or square or spartimber, of any description, or fraction thereof, shall pay thirty cents per thousand feet board measure, which shall include towage and place of landing.

SEC. 3. *Be it further enacted, etc.,* That all laws or parts of laws contrary to or inconsistent with the provisions of this act be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 87.]

AN ACT

To provide for the better and more speedy collection of the poll tax.

Payment of poll
tax a prerequisite
before receiving
any compensation
as juror or witness
in any criminal case

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That before any person serving as a juror or as a witness in criminal cases, shall receive the compensation to which they are entitled for their mileage and *per diem*, they shall exhibit to the clerk of the court a receipt for the poll tax or taxes due by them.

Duty of the clerk
of court in issuing
certificates or war-
rants for compensa-
tion as juror or as a
witness.

SEC. 2. *Be it further enacted, etc.,* That on their failure to produce such receipt, that the clerk of the court, or other officer, issuing certificates or warrants for their mileage and *per diem*, shall issue certificates or warrant for amount less the poll tax due, and shall issue the certificate or warrants for amount so reserved for poll tax to the treasurer of the school board of the parish, who shall collect same.

Report to be made
by clerk of court to
the sheriff of certifi-
cates issued under
the provisions of
this act.

SEC. 3. *Be it further enacted, etc.,* That the clerk of the court, or other officer, issuing such certificates or warrants, shall report to the tax collector of the parish the names of all persons from whom he has reserved amounts for poll tax, and the tax collector shall give such person credit for such poll tax.

SEC. 4. *Be it further enacted, etc.,* That all laws and parts of laws in conflict with this act, be and the same are hereby repealed, and that this act take effect and be in force from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 88.]

JOINT RESOLUTION

To amend Article 62 of the Constitution, providing for a lapse in the office of Lieutenant Governor.

Be it resolved by the General Assembly of the State of Louisiana, Amendment to Art. 62 of Constitution to be submitted to the people at the next general election.
That an amendment to Article sixty-two (62) of the Constitution of the State of Louisiana shall be submitted to the people at the next general election, providing for a lapse in the office of Lieutenant Governor.

That in the event of the death, or from whatever cause the office of Lieutenant Governor shall become vacant, then, and in that event, the President *pro tempore* of the Senate shall fill the office of Lieutenant Governor, performing all the duties incident to the office and receiving its emoluments. Proposed amendment to Art. 62 of Constitution in relation to vacancy in the office of Lieutenant Governor.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 89.]

AN ACT

To establish the rank and order of preference of privileges and pledges on crops.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That all privileges and pledges on crops, granted by existing laws of this State, shall be ranked in the following order of preference, viz: Rank of privileges and pledges on crops granted by law.

First. Privilege of the laborer.

1. Laborer.

Second. Privilege of the lessor.

2. Lessor.

Third. Privilege of the overseer.

3. Overseer.

Fourth. Pledges, under Section 1 of Act No. 66 of 1874, in order of recordation.

4. Pledges under Act 66 of 1874 in the order of their recordation.

Fifth. Privilege of furnishers of supplies and of money, and of the physician.

5. Furnishers of supplies or of money and of the physician.

SEC. 2. *Be it further enacted, etc.,* That this Act shall take effect from and after its promulgation.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 90.]

AN ACT

For the protection of buyers from the fraudulent practices of nurserymen.

Bond to be given by drummers or agents of nurserymen, domiciliated in this State or not selling on samples or pictures claiming to represent fruits or garden products.

Approval of the bond by the Governor and its deposit in the office of the Secretary of State.

Penalty for a violation of this act.

Certificate to be issued by the Secretary of State.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That all drummers, or agents of nurserymen, whether domiciled in this State or other States, selling their products by displaying samples or pictures claiming to represent fruits or garden products, shall execute a bond, with good and solvent personal security, the solvency of whom shall be certified to by the president of the police jury and clerk of the court of the parish wherein the said surety may reside, except the parish of Orleans, the recorder of mortgages shall certify to the solvency of said sureties, in favor of the Governor of the State, in the sum of one thousand dollars, the same to be deposited in the office of the Secretary of State, for the security of buyers against fraudulent practices of said drummers or agents; and any person suffering loss or damage by any false representation or fraudulent practices of said drummers or agents, shall have the right to sue on said bond and recover judgment thereon, both against the principal and surety, before any court of competent jurisdiction in the State, at the place where the contract or sale is made.

SEC. 2. *Be it further enacted, etc.,* That a certified copy by the Secretary of State shall be full proof thereof.

SEC. 3. *Be it further enacted, etc.,* That all laws or parts of laws inconsistent with or in conflict with the provisions of this act be and the same are hereby repealed, and this act shall take effect after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 91.]

AN ACT

To increase the number of justices of the peace in the second ward of Calcasieu parish.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That due notice having been given, in accordance with article 48 of the Constitution, the number of justices of the peace in the second ward of Calcasieu parish be increased to two.

Additional justice of the peace for the second ward of the parish of Calcasieu created—its appointment by the Governor, until the next general election.

SEC. 2. *Be it further enacted, etc.,* That the additional justice of the peace, provided for by this act, shall be appointed by the Governor and shall hold office until the next general election for justices of the peace or until his successor shall be qualified according to law.

SEC. 3. *Be it further enacted, etc.,* That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

[No. 92.]

JOINT RESOLUTION

Proposing to submit to the electors of the State an amendment to Article 207 of the Constitution of 1879, relative to exemption from taxation.

SECTION 1. *Be it resolved by the General Assembly of the State of Louisiana (two-thirds of the members elected to each House concurring therein),* That Article two hundred and seven of the Constitution of eighteen hundred and seventy-nine be so amended and re-enacted so as to read as follows, to-wit:

Amendment to
Article 207 of the
Constitution.

ARTICLE 207. The following property shall be exempt from taxation, and no other, viz: All public property, places of religious worship or burial, all charitable institutions, all buildings and property used exclusively for colleges or other school purposes, the real and personal estate of any public library and that of any other literary association, used by or connected with such library; all books and philosophical apparatus, and all paintings and statuary of any company or association kept in a public hall; *provided*, the property so exempted be not used or leased for purposes of private or corporate profit or income. There shall also be exempt from taxation household property to the value of five hundred dollars; there shall also be exempt from taxation and license for a period of twenty years from the adoption of the Constitution of 1879, the capital, machinery and other property employed in the manufacture of textile fabrics, leather, shoes, harness, saddlery, hats, flour, machinery, agricultural implements, manufacture of ice, fertilizers and chemicals, and furniture and other articles of wood, marble or stone, soap, stationery, ink and paper, boat building and chocolate; *provided*, that not less than five hands are employed in any one factory.

Proposed amendment relative to exemption of property from taxation.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 93.]

AN ACT

Creating an additional justice of the peace and constable for the first ward of Caddo parish.

Preamble.

Whereas, Due notice of the intention to apply for the passage of this act has been published in conformity to article 48 of the Constitution.

Additional justice of the peace and constable for the first ward of the parish of Caddo, created and located at Frog Levee, appointment to expire at the general election.

Fees of office—jurisdiction—to be elected at the next general election in 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That an additional justice of the peace and constable are hereby created and established for the first ward of Caddo parish, to be located at Frog Levee, the term of office of said justice of the peace and constable so appointed to terminate and expire at the next general election in the year 1888, or until their successors are elected and qualified.

SEC. 2. *Be it further enacted, etc.*, That the said justice and constable shall have the same fees of office, as the justice and constable already elected for said ward, held in April, 1884; they shall also have the same concurrent jurisdiction and power; the successors of the said justice and constable shall be elected at the next general election, in the year 1888, in the same manner as other justices of the peace and constables.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original.

OSCAR ARROYO,

Secretary of State.

No. 94.]

CONCURRENT RESOLUTION

Authorizing the Board of Liquidation to designate a bank or banks where the public moneys shall be deposited, in the event of vacancy in the office of Fiscal Agent.

Board of Liquidation to designate a bank or banks to receive deposits pending the vacancy in the office of Fiscal Agent.

Be it resolved by the General Assembly of the State of Louisiana, That whenever a vacancy shall exist in the Fiscal Agency of the State, the State Board of Liquidation may designate a bank or banks wherein the moneys of the State shall be deposited, pending the election of a Fiscal Agent bank or banks, as provided by law.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,

Secretary of State.

No. 95.]

AN ACT

To regulate the hours of labor on and connected with the street railroads, chartered under the laws of this State, and providing penalties for the violation thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That twelve consecutive hours' labor in twenty-four, with reasonable time for meals, shall constitute a day's labor in the operation of all street railroads owned or operated by corporations, incorporated under the laws of this State, whatever motive power may be used in the operation of such railroads.

Twelve consecutive hours in twenty-four to constitute a day's labor in the operation of street railroads, incorporated under the laws of this State.

SEC. 2. *Be it further enacted, etc.*, That it shall be a misdemeanor for any officer or agent of any street railroad company to exact from any of its employes more than twelve consecutive hours' labor in the twenty-four, with one-half hour for dinner, constituting a day; *provided, however*, that in cases of accident or unavoidable delay, extra labor may be permitted for extra compensation.

Exaction of more than twelve consecutive hours labor in twenty-four, except of accident or unavoidable delay, to constitute a misdemeanor.

SEC. 3. *Be it further enacted, etc.*, That any officer or agent of any of the said street railroads, who shall have been convicted of violating the provisions of this act, shall be fined not more than fifty dollars, or suffer imprisonment in the parish prison or jail, as the case may be, for not more than two months, or both, at the discretion of the court; said fine to go to the benefit of the Charity Hospital of New Orleans.

Penalty for any violation of this act.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

No. 96.]

JOINT RESOLUTION

Authorizing the Auditor to fix the amount of capital due the several townships from the sales of sixteenth sections school lands, made since January 1, 1880, and to warrant for interest due thereon.

Whereas, There has been paid into the State Treasury from the sale of sixteenth sections school lands, made since the 1st January, 1880, a large sum of money over which Article 233 of the Constitution has no control, and the same having been invested in Louisiana four per cent bonds, as required by the Act of Congress, approved February 15, 1843, and Act No. 265 of 1855, of the General Assembly of Louisiana, and the interest on said bonds having been collected by the State Treasurer and now at the credit of the several townships;

Preamble.

State Auditor authorized to ascertain the amount of capital due to the several townships from the proceeds of sixteenth sections, made since January, 1880, and paid into the State Treasury.

Interest to be paid on the amount of capital ascertained.

Therefore be it resolved by the General Assembly of the State of Louisiana, That it shall be the duty of the Auditor of Public Accounts, by the 1st day of January, 1887, to ascertain the amount of capital that may be due the several townships from the proceeds of the sales of sixteenth sections, made since the first of January, 1880, and actually paid into the State Treasury. The amount thus ascertained shall be the capital upon which interest shall be thereafter allowed and paid out of the interest collected on the said bonds to the townships, the sixteenth sections of which have been sold since the 1st of January, 1880, and the proceeds actually paid into the State Treasury, and the proceeds so paid invested as required by law.

In calculating the interest due the several townships, no interest shall be allowed for fractions of the year during which the receipts shall have come into the treasury; but it shall commence at the beginning of the 1st of January of the next year.

Mode and manner of payment of the interest due upon the capital ascertained.

Duty of Auditor in furnishing statements to Treasurer and Superintendent of Public Education

The interest due upon the capital ascertained as aforesaid, and the interest due upon subsequent sales, shall be paid to the townships in the manner now provided for by law. It shall be the duty of the Auditor to furnish the Treasurer and Superintendent of Public Education with a statement of the amount due each township.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

No. 97.]

CONCURRENT RESOLUTION

Accepting the donation of the United States Barracks and grounds at Baton Rouge for the use of the Louisiana State University and Agricultural and Mechanical College.

Preamble.

Whereas, An act has been passed by the Forty-ninth Congress of the United States, authorizing and directing the Secretary of the Interior to transfer to the Louisiana State University and Agricultural and Mechanical College the possession of the buildings and grounds of the United States barracks at Baton Rouge, for the purposes of said university and college, except that portion of said grounds that lies westward of a line one hundred feet east of the center of the railroad track of the Louisville, New Orleans and Texas Railroad Company, *provided*, The board of managers of said university and college shall keep the buildings in good repair, and insured for the use of the United States; *and, provided further*, That whenever the said buildings and grounds cease to be used for educational purposes by said university and college, or when required by the Secretary of War

for the use of the United States, the possession of the same shall revert to the government of the United States; therefore be it

Resolved, By the House of Representatives of Louisiana (the Senate concurring), That the Governor is hereby authorized and instructed to accept on behalf of the State the transfer of the said property, on the terms and conditions above set forth.

Acceptance by the Governor of the U. S. barracks at Baton Rouge.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 98.]

AN ACT

To provide an annual revenue for the State of Louisiana by the levying of annual taxes upon all property not exempted by the Constitution from taxation, and by prescribing the methods of assessing and collecting the same, and of enforcing payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That for the calendar year A. D., one thousand eight hundred and eighty-six, and for each succeeding calendar year, there are hereby levied annual taxes amounting in the aggregate to six mills on the dollar of the assessed valuation of all property situated within the State of Louisiana, except such as is expressly exempted from taxation by the Constitution; and the term property as herein used, means and includes all real estate, with the buildings and all other improvements thereon or thereto attached, all improvements upon public lands and all other untaxed lands, every share or portion, right or interest, either legal or equitable, in and to every ship, vessel or boat of whatever name or description, used or designed to be used, either exclusively or partially, in navigating any of the waters within or bordering on this State, whether such vessel, ship or boat shall be within the jurisdiction of this State or elsewhere, and whether the same shall have been enrolled, registered or licensed at any collector's office, or within any collector's district in this State or not, including all vessels sailing under a foreign flag navigating any of the waters of this State within or bordering thereon, controlled or run, in whole or in part, for the benefit of the person to be assessed, together with their stores or appurtenances, at their fair market value, or belonging to any person, company, association or corporation in or out of this State, and not paying taxes at the domicile of the said company, person, association or corporation; all railroads and other roads, all canals and other ways of communication, travel or transportation; all locomotives, dummies and other motive powers; all engines, boilers and other apparatus, appurtenances, ap-

Annual tax of six mills on the dollar to be levied on all property therein described and enumerated, and situated in this State.

pliances and attachments for steam, electric and other engines; all telephone and telegraph lines; all machines and machinery; all cars, carriages, wagons and other vehicles; all patents, copy rights, trade-marks, privileges, charters and franchises, including stock of any lottery charter or privilege, domiciled in or out of this State, unless exempted by the Constitution of this State; all lumber, brick and other building materials; all movable property and chattels; all personal property; all goods, wares and merchandise and other stock in trade, in possession, on hand or under control; goods bought and paid for, goods bought and to be paid for, all goods on consignment for sale, without reference to whom they belong; goods in transit for forwarding, not on consignment for sale, are not to be assessed; all alcoholic, vinous and malt liquors; all household, kitchen and other furniture, exceeding five hundred dollars (\$500) in value; all jewels and jewelry, diamonds, pearls and precious stones, real or imitation; all gold and silver ware and silver plate, paintings, engravings, statuary, and other works of art, bric-a-brac, and "articles of vertu" and ornaments; all horses and other live animals; all personal property held in trust, or by a wife, or for a minor child; all property held, controlled or administered in each separate capacity as president, cashier, treasurer, superintendent, manager, sequestrator, receiver, trustee, stakeholder, depositary, warehouseman, keeper, curator, tutor, executor, administrator, legatee, heir, beneficiary, father, agent, attorney, usufructuary, mandatory, fiduciary, or official capacity; the cash value of all judgments, suits and causes in action; all rights, credits, bonds, stocks and securities of all kinds, promissory notes and other obligations; all cash on hand on the day upon which the notice is served to make return of taxable property in conformity with this act, including checks payable on that day, and drafts and notes due at that date which have not been included as money at interest or debts due; also, all borrowed money or deposits in banks or elsewhere. The amount of cash on hand will not be offset or lessened because money is owed, or by liabilities of any kind, but must represent the full amount standing in the name of the person to be assessed or subject to his control on the day above mentioned.

All coins, United States and foreign, whether current or uncurrent; all currencies, bank notes and other paper money, all moneys loaned at interest, all shares of stock in all banking, insurance, manufacturing and all other incorporated or non-incorporated companies chartered under the laws of Louisiana, or under the laws of any other State than Louisiana; and all other articles and things whatever, possessing any money value. This enumeration shall not be construed so as to exempt from taxation any property or values not enumerated herein; *provided*, that no articles or things herein above enumerated shall be assessed more than once the same year.

Tax assessor for each parish, except Orleans—mode of appointment, term of office, oath, bond, and compensation.

SEC. 2. *Be it further enacted, etc.*, That the Governor shall appoint, by and with the advice and consent of the Senate, one tax assessor for each parish in the State, except the parish of Orleans, who shall hold their offices for the term of four years, first term beginning on the thirty-first day of December, 1884. Each assessor shall take constitutional oath of office, and

Each shall execute his bond in favor of the Governor of the State of Louisiana, for the sum of three thousand dollars (\$3,000) for each representative of his parish in the General Assembly, with solvent sureties, who shall be bound in *solido* with each other and with their principal, but each surety may bind himself for a limited sum, not less than two hundred dollars; *provided*, the aggregate of said limited sums shall not be less than three thousand dollars (\$3,000) for each representative of his parish in the General Assembly; *provided*, no bond shall exceed eight thousand dollars. He shall receive as an annual compensation for all his labors, services and duties, four per cent. on the first forty thousand dollars (\$40,000) aggregate amount of all State, parish and poll taxes assessed, and one per cent. on any excess over forty thousand dollars (\$40,000); *provided*, no assessor shall receive less than four hundred dollars (\$400) in any parish for each assessment; *provided*, that if said office be already filled by appointment, this act shall not be construed as creating any vacancies therein, and the officers now appointed shall serve during the period for which they were appointed.

Proviso.

SEC. 3. *Be it further enacted, etc.*, That the Governor shall appoint, by and with the consent of the Senate, seven tax assessors, one from each municipal district of the parish of Orleans, and for their services they shall receive each three thousand dollars (\$3,000) per annum, to be paid quarterly by the warrant of the Auditor out of the Treasury of the State, and no perquisites, fees or commissions shall be allowed; said assessors shall hold office until the thirty-first of December, 1888, and the Governor shall appoint their successors. All or any of said officers mentioned in this act, or Section two (2) of this act, may be removed by the Governor at any time for negligence, inefficiency, incompetency, malfeasance or any other cause which he may consider sufficiently grave. The Governor may fill any vacancy thus created or caused by death or resignation, by and with the advice and consent of the Senate, if in session, or if not in session subject to the advice and consent of the Senate at its next session. The assessors so appointed shall constitute a board of assessors for the parish of Orleans. The assessors shall exercise their functions separately in and for the parish of Orleans. The board shall appoint its own clerical force and fix their pay within the limits prescribed. The city council shall provide a suitable room in the city hall for the use of the board of assessors, and shall appropriate not more than twenty thousand dollars (\$20,000) for the payment of said clerical force and contingent expenses of the board, not including such blanks as are furnished by the Auditor under the existing laws. The clerical force of the board of assessors shall be paid monthly on the city pay rolls under instructions from the board. The board of assessors shall, by the first day of May, 1887, and each year thereafter, furnish the city of New Orleans, and by the first day of July of each year the Auditor and collectors, with a complete copy of the assessment rolls, and the rolls thus made up shall serve as a basis for all State and city taxation for the year for which they were made.

Tax assessors for each municipal district of the parish of Orleans—how appointed, compensation, term of office.

Assessors, how removed—vacancies, how filled.

Assessors to constitute a board of assessors.

Board to appoint its clerical force and fix their compensation.

Appropriation to pay the same, and contingent expenses.

Rolls to be furnished to the city, Auditor and collectors.

Bond of assessors for the parish of Orleans.

SEC. 4. *Be it further enacted, etc.,* That each of the said tax assessors mentioned in the preceding section, shall execute his bond in favor of the Governor of the State of Louisiana for the sum of five thousand dollars (\$5000), with solvent sureties, who shall be bound in solido with each other, and with their principals; but each surety may bind himself for a limited sum of not less than five hundred dollars (\$500), *provided*, the aggregate of said sums shall be five thousand dollars (\$5000).

Bonds of assessors throughout the State—how made, approved and recorded.

SEC. 5. *Be it further enacted, etc.,* That all bonds to be executed by said tax assessors in the parish of Orleans shall be approved by the Governor, and all bonds of assessors in other parishes shall be approved by the president of the police jury and by the clerk of the district court, and shall be recorded in the mortgage records of the parish in which each respective assessor exercises his functions; and in all other parishes in which the principal owns real estate, and shall operate as a legal mortgage upon all the real estate of the principal therein, and shall be conditioned that the tax assessor shall carefully and impartially list all poll taxes, and list and value all taxable property within his district or parish, at its actual cash value, according to such rules as are or may be prescribed by law. The bond of the tax collector shall be conditioned that the tax collector shall diligently collect all licenses, and all taxes listed and assessed in his district; and make oath before a justice of the peace of his parish that he has not been able to collect all delinquent taxes; shall punctually sell property to pay all delinquent taxes; shall faithfully and promptly pay into the State Treasury all licenses and taxes collected by him, less his lawful commissions, and shall do and perform such other duties as may be prescribed by law. The said collector shall be removed by the Governor at any time for negligence, inefficiency, incompetency, favoritism, malfeasance, or any other cause which he may think sufficiently grave.

Bonds of tax collectors—how made and conditioned.

How and in what manner collectors may be removed.

Duties of assessors in relation to the assessment of property.

Penalty for omission of taxable property from assessment list.

SEC. 6. *Be it further enacted, etc.,* That it is made the duty of tax assessors throughout the State, to place upon the assessment list, all property subject to taxation, including merchandise or stock in trade, on hand at the date of listing, within their respective districts and parishes; and if any tax assessor shall intentionally or knowingly, or through gross negligence, omit any taxable property from the assessment list, or permit the same to be omitted therefrom, he and his sureties in solido shall be liable on his official bond for the full amount of the taxes due on the property so omitted from the lists, together with ten per cent per annum interest thereon from the maturity of said taxes, ten per cent attorneys' fees on the amount of the judgment recovered against him, and all the costs of the suit; *provided*, That the true intent and meaning of this section is that all crops, whether growing or gathered, shall be considered as being attached to the realty while in first hands, and shall not be separately taxed while in the possession of the lessor or his agent, and no property shall be taxed twice in the same year.

How and in what manner landed property shall be assessed.

SEC. 7. *Be it further enacted, etc.,* That if the land to be assessed be a tract or a lot known by a name, or if the owner's name be known, it shall be designated by those particulars and by its boundaries; if it has no name, or the name be unknown,

it shall be designated by its boundaries, or by divisions pursuant to the United States surveys. In all cities, towns or villages, it shall be the duty of the assessor to designate the number of the lots according to the plan of such cities, towns or villages, or according to the plat or plan of the squares designated by such particular plat or plan. If no plat or plan is known of any city, town or village, or square within the same, it shall be lawful for the assessor to describe it by boundaries of the streets within which it is situated, giving in all cases the dimensions; that assessments in incorporated towns and villages shall be in separate columns, and shall designate the name of the streets on which the lots front.

SEC. 8. *Be it further enacted, etc.,* That each tax assessor, on and after the first day of January of each year, shall diligently examine the records in the offices of mortgages and conveyances and abstracts of land entries, and compare the names of the parties assessed and the description of the property, giving the exact lines and measurements as so recorded in the conveyance office and the abstract of land entries, and shall otherwise make faithful inquiry and investigation to ascertain what taxable property in his district or parish belongs to residents and to absent owners, and to unknown owners; and he shall make a separate list, describing each tract of land and other item of taxable property belonging to any absent owner whose name is unknown, and shall affix the valuation thereof in person, or by a sworn deputy, unless said absent owner or his agent or attorney shall have delivered to him a correct and complete tax list containing the name and postoffice address of said absent owner, and of his agent and attorney, on or before the first day of June, 1886, and each subsequent year, and he shall make a separate tax list describing each tract of land and other property belonging to each unknown owner, and shall affix a separate valuation to each separate tract; *provided*, that no assessor shall draw any salary until he makes affidavit and furnishes a certificate from the recorder of conveyances that he has made the examination required by this section.

SEC. 9. *Be it further enacted, etc.,* That when a line between two parishes divides a tract of land or plantation, each portion shall be assessed in the parish in which it lies.

SEC. 10. *Be it further enacted, etc.,* That all movable property shall be assessed in the parish where it is located, except as hereinafter provided.

SEC. 11. *Be it further enacted, etc.,* That if any tract or lot of land or other property shall be omitted in the assessment of any year, or series of years, or assessed in a wrong name, or improperly described, the same when discovered shall be assessed by the assessor or tax collector for the whole period for which the same may have been omitted, or improperly assessed, and shall be subjected to the State, parish and municipal taxes which have been or may hereafter be assessed against said property in accordance with law; *provided*, no back taxes for more than three years shall be assessed against said property; and, *provided further*, that such assessment shall appear upon a supplemental roll, and be filed in the manner as the regular tax rolls.

Time at which assessors shall examine the records in the office of mortgages and conveyances.

Tax list of unknown persons.

Proviso.

How property is to be assessed when divided by parish lines.

Where movable property must be assessed.

When property has been omitted or erroneously assessed.

Proviso.

Duty of Auditor to prepare and forward tax lists to the assessors.

SEC. 12. *Be it further enacted, etc.,* That the Auditor of Public Accounts shall, immediately after the passage of this act, and before the first of January of each year thereafter, prepare and have printed and forwarded to the several assessors throughout the State, tax lists of the form provided in section 16 of this act, in such convenient form as may be readily stitched together when filled out; and said list shall be prepared so as to secure the listing of all property subject to taxation under this act; and section 1 of this act shall be printed in full on the back thereof; and he shall, as soon as possible, furnish to each State tax collector and sheriff throughout the State, such quantity of said printed tax lists as will suffice to secure the listing of all property subject to taxation, and with their columns for valuation to be filled up by the assessor in the parish of Orleans; said list shall be filled up by the board of assessors for said parish as at present constituted.

Duty of tax payer to fill out list of property under oath.

SEC. 13. *Be it further enacted, etc.,* That it shall be the duty of each taxpayer to fill out a list of his property in accordance with the form provided in section 16 of this act; and he shall make oath thereto before the tax assessor, or any officer authorized by law to administer oaths, and return the same to the assessor before the first day of May of each and every year.

SEC. 14. *Be it further enacted, etc.,* That on the back of each of said tax lists there shall be printed, in substance, the following form of oath or affirmation, to-wit:

Oath of tax payer to be taken before the assessor or other proper officer.

"I, whose postoffice is _____, do solemnly swear or affirm that the list on the reverse side of this paper, which I have signed, is a correct and complete list of all the property of which I am owner or have in my possession or under my control, in the capacity set forth in said list, situated in the parish of _____, of every kind, character and description, which is subject to taxation under the Constitution of the State of Louisiana, and under section one of the act of the General Assembly, entitled 'an act to provide an annual revenue and taxation for the State of Louisiana,' etc., adopted at the regular session of 1886, which section is printed in full on this page; and, further, That the number of acres of land has been stated, and I have given the proper description of said lands, and all other taxable property, as the law requires. So help me God.

"Sworn to and subscribed before me this, — day of —, A. D. 18—."

Visit to be made by assessors in person or by duly authorized deputy.

SEC. 15. *Be it further enacted, etc.,* That the said assessors shall, in person or by duly authorized deputy, visit the domicile, residence or office of each person, company, firm, corporation, bank, exchange or association of two or more individuals, and shall fill out with his name and postoffice address, the said lists as provided in Section 16 of this act, which each person who owns, possesses or controls any taxable property in his own right, and a separate list shall be filled out with the name and postoffice, and shall be signed and sworn to by each person, in each separate capacity in which he may possess taxable property, such as cashier, president, treasurer, secretary, liquidator, master, superintendent, manager, sequestrator, receiver, keeper, curator, tutor, agent, usufructuary, and every other representative or official capacity.

SEC. 16. *Be it further enacted, etc.* That the assessors of the several parishes throughout the State (the parish of Orleans excepted) shall be furnished by the Auditor of Public Accounts within the time prescribed by Section 12, with blank forms of assessments as follows, viz:

● Blanks to be furnished by Auditor to the assessors (those of Orleans excepted).

Parish of _____, value of lands—

Blank form of assessment.

Value in lots, squares or parcels of ground, in incorporated or unincorporated cities, towns or villages, with all residences, houses, buildings, or other improvements thereon, —

Value of horses, mules, mares, geldings, cattle, sheep, goats, hogs, and all other live animals, value in cash to be based on actual market value of capital stock, shares, etc., of all persons, associations of persons, business firms, corporations and pools, less than real estate, —

Value of all steamboats, steamships, barges and other water craft, —

Value of merchandise or stock on hand, —

Value of household goods, silver-plated jewelry, etc., not exempt from taxation, —

Value of annuities, salaries, incomes, etc., of all persons, associations of persons, or business firms or corporations, not subject to license, —

All moneys loaned or in possession, —

Cash value of all bonds liable to taxation, notes, judgments and other credits, —

Cash value of all other property subject to taxation, —

CONSOLIDATED AGRICULTURAL STATISTICS OF PARISHES.

No. acres in parishes, —

Uncultivated, —

Cultivated, —

In cane, —

In cotton, —

In rice, —

In corn, —

In oats, —

In wheat, —

In hay, —

In potatoes, —

In sorghum, —

In rye, —

In jute, —

In meadow and pasture, —

Total, —

PRODUCTS RAISED LAST YEAR.

Barrels of molasses, —

Hogsheads of sugar, —

Barrels of sugar, —

Bales of cotton, —

Barrels of rice, —

Bushels of corn, —

Bushels of oats, —

Bushels of wheat, —

Bales of hay, —

Bales of jute, —
Bushels of rye, —
Bushels of potatoes, —
Barrels of sorghum, —

COLORED CHILDREN BETWEEN SIX AND EIGHTEEN YEARS.

Males, —
Females, —

WHITE CHILDREN BETWEEN SIX AND EIGHTEEN YEARS.

Males, —
Females, —

Duty of assessor
in relation to listing
and assessing prop-
erty.

And it shall be the duty of the said assessors to list and assess all property within their respective parishes in accordance with the foregoing blank, taking care to list and assess each and every species of property separately, as herein provided, and to correctly return the consolidated agricultural statistics thereto attached.

The assessor, in assessing lands and lots, shall take into consideration the enhanced value of the same arising from the buildings and improvements thereon, such as residences, barns, cribs, sugar mills, rice mills, gin houses, cabins and machinery.

Oath to be admin-
istered by assessor
or deputy.

SEC. 17. *Be it further enacted, etc.,* That each tax assessor, either in person or by a duly qualified deputy, is hereby authorized to administer the oath or affirmation attached to the said list in the manner required by law for administering oaths; and is required in person or by deputy to actually administer the said oath or affirmation orally to the person signing same; and should any tax assessor or deputy sign said jurat, without having actually administered said oath, he shall be guilty of non-feasance and malfeasance in office, under Article 196 of the Constitution, and the tax assessor shall be liable on his bond for all the taxes due by the person purporting to have taken said oath or affirmation, and shall forfeit all his commissions, and shall be at once removed from office by the Governor.

Duty of assessor
in the valuation of
property.

SEC. 18. *Be it further enacted, etc.,* That the tax assessor shall fill up the column for valuation with such valuation of each item of property as he considers just, and if any person shall fail or refuse to sign one of the said tax lists within the time prescribed by law the tax assessor shall obtain his name, ward, street, number and postoffice address, and a full description and valuation of all the property of said person, in whatever way he can, and shall himself fill out said list from the best information he can obtain, and shall fill up the column with his own valuations; and to that end he is authorized to administer oaths and to propound questions to any person whom he supposes can give information in relation thereto. In making all assessments it shall be the duty of the assessor to give a correct and accurate description of each piece of property assessed, and to assess the same in the name of the owner, except in case of unknown owners, and it is hereby made his special duty to examine into assessments that have been carried over on the rolls from year to year, without having been given in by the owners, and to see that all such property is assessed under a correct description in the name of the owners, and to that end shall make all necessary

Description of the
property—how to be
made.

inquiries as to the facts from any and all sources, and as to the law from the district attorney, whose duty it is to advise him in all such cases.

SEC. 19. *Be it further enacted, etc.,* That it shall be the duty of the tax assessor to assess in any year subsequent to 1886 any property which he shall discover has been omitted from the assessment in the year 1886 or in any year subsequent thereto, and to fix the valuation thereof upon the basis of the valuation prevailing in the omitted year or years, subject to the revision of the board of assessors in the parish of Orleans, and in other parishes in the manner provided for in this act; and he shall make out a separate tax list for each taxpayer for each of the omitted years, and attach the same to the tax roll of that year, in the tax collector's or sheriff's office, which shall be a sufficient assessment and valuation and roll for the taxes thereon; and the tax collector or sheriff shall collect the taxes thereon in the year in which the additional assessment is made; or, if they become delinquent, shall sell said assessed property in the same manner as other property as hereinafter provided.

Duty of assessor to assess property omitted on the roll of 1886, or of any subsequent year.

Duty of tax collector to collect the taxes on such additional assessments.

SEC. 20. *Be it further enacted, etc.,* That all real and personal property subject to taxation as enumerated in section 1 of this act, and not exempted by the Constitution, shall be estimated by the assessors of the several parishes of the State, parish of Orleans excepted, at its actual cash value, upon the blank lists furnished by the Auditor of Public Accounts, in accordance with this act; and in case the valuations so made by the said assessor are, in the opinion and belief of the tax payer, in excess of and beyond the cash value of the personal or real property, the said assessor shall make or cause to be made a duplicate list of said property, and shall then and there administer to the said tax payer the oath or affirmation, as follows:

Real and personal property to be assessed at its actual cash value.

"I swear or affirm that the valuation affixed opposite each item of property in the foregoing list is the actual cash value thereof, according to the best of my knowledge, judgment and belief, so help me God.

Oath of tax payer taken before the assessor.

"Sworn to and subscribed before me, this the — day of —, A. D. 18—."

The assessor shall prescribe such duplicate lists, and submit them to the board of reviewers as hereinafter provided for.

SEC. 21. *Be it further enacted, etc.,* That the assessor shall have the right and power to require of any property holder an inspection of his books and accounts, and shall have the right to examine in full the same, and may from his books and accounts make an estimate of the value of the property to be assessed. He shall also, if necessary, put upon oath the owner or agent or agents or employees of the owner, and propound to him or them such question as will elicit from him or them the actual cash value of the property. The assessor shall have the right and power to inquire into the insured value of all property or into the value at which the same had been insured previously. And in assessing stock on hand or merchandise, the average amount of insurance during the year previous to the assessing, which had been carried on merchandise or stock or fixtures by the owner or agent, shall be taken into consideration; *provided*, that if the assessors find, or have reason to believe, that the list

Books and accounts to be examined by assessors.

Authorized to propound questions under oath.

Authorized to inquire into the insured value of property assessed.

Proviso.

of taxable property furnished by any person is incomplete or incorrect, they shall add thereto a supplemental list containing a description and valuation of all the property of the person signing said list, which has been omitted or incorrectly described therein; *provided*, no change in any list of property rendered shall be made until the taxpayers be notified to appear within ten days and show cause why such change should not be made.

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Public notice to be given of completion of the lists.

SEC. 22. *Be it further enacted, etc.*, That immediately after the listing and estimation of the valuation of all real and personal property shall have been completed by the assessors, which shall in all cases be done on or before the first day in June in each and every year, the said assessors as aforesaid, shall give notice by publication in some newspaper published in their respective parishes, and if there be no newspaper published therein, by posting on the court-house door of the parish for the period of ten days, that the listing of the property has been completed, and the estimated valuation made therein by the said assessor in accordance with law, and that the said list will be exposed in the office of the said assessor for inspection and correction for a term of twenty (20) days, beginning next after the ten (10) days required for notice as herein provided shall have expired.

Police juries constituted boards of reviewers.

SEC. 23. *Be it further enacted, etc.*, That the police juries of the several parishes throughout the State be and are hereby appointed and constituted boards of reviewers for their respective parishes.

Time of meeting of boards of reviewers, their duties, powers and compensation.

SEC. 24. *Be it further enacted, etc.*, That the said board of reviewers shall meet on the first Monday in July of each and every year, or as soon thereafter as possible, and the several assessors throughout the State shall lay before the said board all of the said lists of property, with the estimated actual cash value thereof, extended as listed and valued by the said assessors as aforesaid, together with the lists and valuation made under oath as aforesaid, of those property owners who believe the assessors' valuation to be in excess of and beyond the actual cash value of the personal or real property therein enumerated, and the said board shall proceed at once to arbitrate upon the said lists of property and cash valuation, and their decision shall be final unless set aside in accordance with Article 203 of the Constitution.

Duties and powers of the board of reviewers.

The said board of reviewers shall then proceed to examine all the aforesaid lists of real and personal property submitted to them by the said assessors, and should they find any property to have been illegally or wrongfully assessed in the listing or valuation thereof, it shall be their duty to correct the same, and they shall also equalize the assessments of all property of like character and relative value within their respective parishes, in accordance with Article 203 of the Constitution; *provided*, that no valuation made by the assessor shall be increased, unless the taxpayer be served with notice to appear before said board within five days and show cause why such increased assessment should not be made. Such summons shall be signed by the president of the board. Service thereon and return made in the manner now provided by law, as in case of ordinary subpoenas. The said board shall have the power to summon and compel the

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attendance of witnesses and interrogate them under oath concerning any matter before them.

After having passed upon and determined the correctness of any list and the valuation thereof, the same shall become final, unless set aside or changed as provided by law. The members of said board of review shall receive the same pay for such length of time as they may be in session, as now allowed to police jurors; *provided*, that if the session extends longer than fifteen days from date of service, only pay for that length of time shall be allowed.

Compensation of the members of the board of reviewers.

SEC. 25. *Be it further enacted, etc.*, That in the parish of Orleans, all the assessors in and for the said parish, who are hereby constituted a board of assessors for said parish, shall meet on the first Monday in January in each year, and daily thereafter until the assessment shall have been completed (Sundays and legal holidays excepted), which shall, in all cases, be done on or before the thirty-first day of March of each year; they shall obtain the original lists and shall proceed to assess the valuation of each item of property described in said lists, and it shall be their duty to increase or diminish the valuation already placed thereon, or adopt the valuation as previously fixed, according to the best information, knowledge and judgment they possess, to the end that the actual cash value may be ascertained, being governed by the proper system of equality and uniformity in assessments. Any four assessors in the parish of Orleans shall constitute a quorum to perform the duties herein prescribed. If a majority of the assessors in the parish of Orleans cannot agree upon a definite valuation of any item of property, then an average of all the valuations placed thereon by the several members present shall be made, and said average shall be the valuation placed upon said items. The said assessors shall give notice by publication in the official journal that the assessments of property has been completed and the estimated valuation made thereon. The failure of any of said officers to attend and perform the duties herein prescribed, shall vacate his office, except when prevented by sickness or other unavoidable causes.

Assessors in the parish of Orleans constituted as a board—time of meeting—their duties and powers.

SEC. 26. *Be it further enacted, etc.*, That the board of assessors in the parish of Orleans shall cause the column of valuation in said tax lists to be filled out with the valuation as fixed by them. If there be any incorporated village, town or city in any parish, the lists of property therein shall be taken up separately by the assessor after the remainder of the ward in which it is situated is disposed of, and shall be completed alphabetically; and the lists describing property of "unknown owners" shall be taken up last.

Column of valuation—how to be filled out.

In villages, towns or cities the valuation to be made alphabetically.

SEC. 27. *Be it further enacted, etc.*, That all taxpayers shall have the right to appear before the board of assessors of the parish of Orleans between the first and twentieth of March of the year in which the assessment is made, and in other parishes before the board of reviewers on or before the first day of November of the year in which the assessment is made as provided for in this act, during the sessions of said boards, and be heard concerning the descriptions of the property listed and the valuations of the same as assessed; and they shall have the right of

Rights of taxpayers to be heard by boards of reviewers and to test the correctness of their assessments before the courts.

testing the correctness of their assessments before the courts of justice in any procedure which the Constitution and laws may permit; but the action to test such correctness shall be instituted on or before the first day of November of the year in which the assessment is made.

National banks and other banking institutions—how assessed.

SEC. 28. *Be it further enacted, etc.,* That no assessment shall hereafter be made under that name as the capital stock of any national bank, State bank, banking company, banking firm or banking association, or of any corporation, company, firm or association, whose capital stock is represented by shares, but the actual shares shall be assessed to the shareholders who appear as such upon the books, regardless of any transfer not registered or entered upon the books; and it shall be the duty of the president, or other officer, to furnish to the assessor a complete list of those who are borne upon the books as shareholders; and all taxes so assessed shall be paid by the bank, company, firm, association or corporation, which shall be entitled to collect the amount from the shareholders or their transferees; all property owned by the bank, company, firm, association or corporation, which is taxable under Section 1 of this act, shall be assessed directly to the bank, company, firm, association or corporation, and the pro rata of such direct property taxes, and of all exempt property, proportioned to each share of capital stock, shall be deducted from the amount of taxes assessed to that share under this section. Such assessments shall be made where the bank, etc., is located, and not elsewhere, whether the shareholders reside there or not; any president or other officer, who shall refuse or fail to deliver said list to the assessor, shall be guilty of a misdemeanor, and on conviction, shall be punished by fine or imprisonment, or both, at the discretion of the court.

Merchandise or other taxable property under sec. 1 of this act—how assessed.

SEC. 29. *Be it further enacted, etc.,* That no assessment shall be made of capital employed in trade under the name as heretofore, but merchandise or other property taxable under Section one (1) of this Act, owned by any person, association, firm or company, whose capital stock is not represented by shares, shall be assessed to the person, firm, association or company having possession of the same, either in their own name, or as agent for some other named person or persons.

Real estate, road beds, roads, iron track, superstructures, etc., of railroads, canal and other transportation or telegraph company—how assessed.

SEC. 30. *Be it further enacted, etc.,* That the real estate, road beds, roads, iron, tracks, superstructures, excavations and channels of said railroads, canal and other transportation or telegraph company, shall be assessed and taxed in the parish where located; and all other property not specially exempted from taxation by Article 207 of the Constitution, belonging to said railroads, canals, etc., shall be assessed and taxed at the domicile or principal office of said railroads, canals, etc., as contemplated by Article 245 of the Constitution; but the rolling stock or movable property of any railroad company, telegraph, canal company, or other transportation company, whose line lies partly within this State and partly within another State or States, shall be assessed in this State in the ratio which the number of miles of its line within this State has to the total number of miles of its entire line.

How the State and parish taxes are to be extended.

SEC. 31. *Be it further enacted, etc.,* That the State and parish taxes shall be extended upon each of the copies of the roll to be delivered to the recorder and to the tax collector.

SEC. 32. *Be it further enacted, etc.,* That the Auditor shall furnish to each tax assessor three rolls, in such convenient form as to meet the requirements of this act; and the assessor shall proceed to fill out the said tax rolls from the lists as fast as they are completed; and he shall deposit one tax roll in the office in which the mortgage records of the parish are kept; the second in the office of the tax collector of his district, or in the office of the sheriff; and the third in the office of the Auditor, as soon as possible, before the first day of September, in the year 1886, and each subsequent year. The said deposit of the tax rolls by the assessor in the office of tax collector or sheriff shall be full warrant for the said tax collector or sheriff to collect all taxes as provided by law.

Tax rolls to be furnished assessors by the Auditor—duty of assessor to fill the same, and to whom to be delivered when filled.

SEC. 33. *Be it further enacted, etc.,* That the recorder of mortgages shall immediately file the tax roll delivered to him, and shall retain and keep the same among the record books of his office, and it shall be and constitute a part of the records of the same. He shall index the said tax roll in the current mortgage book under the head of "Tax Roll for the year 1886," and each subsequent year respectively, but no further record thereof shall be necessary or be paid for; *provided*, that the failure of the recorder of mortgages to mark the said tax rolls "filed" or to index the same shall, in no way, prejudice the rights of the State or of any parish or municipal corporation.

Duties of the recorder of mortgages on receiving the tax rolls.

SEC. 34. *Be it further enacted, etc.,* That from the day the said tax roll is filed in said mortgage office, each specific piece of real estate thereon assessed, shall be subject to a legal mortgage for the payment of the tax due on it, but not for any other tax, which mortgage shall prime and outrank all other mortgages, privileges, liens, encumbrances or preferences, except tax rolls of previous years.

Filing of tax rolls in mortgage office to operate as a mortgage for payment of the tax.

All taxes, tax mortgages and tax privileges, shall be prescribed by three years from the date of filing the tax roll; but the said prescription shall be interrupted by the pendency of any suit which prevents the collection of said taxes, and the time of such interruption shall be excluded from the computation of said three years.

All taxes and tax mortgages prescribed by three years, except under certain circumstances.

SEC. 35. *Be it further enacted, etc.,* That said "filing in the recorder's office," shall be full notice to each tax payer and to each other person whom it may in any manner concern, that the listing, assessment and valuation of the taxable property has been completed, that the tax rolls are on file in the sheriff or tax collector's office and in the office where the mortgage records of said parish are kept; that the said taxes are due and collectible as provided by law.

"The filing in the recorder's office" of the tax rolls to be full notice of their completion, and that said taxes are due and collectible.

SEC. 36. *Be it further enacted, etc.,* That the act of depositing the tax rolls by the assessor in the office where the records of the parish are kept shall be deemed prima facie evidence that the assessment has been made and completed in the manner provided by law. No injunction shall be issued by any court to prevent any assessor from depositing said rolls; and in the suit of any taxpayer or taxpayers testing the correctness of his or their assessment before any court of justice, the decision of such court shall only affect the assessment of the person or persons in such suit, and shall in no manner affect or invalidate the

Act of depositing the tax rolls in the recorder's office to be prima facie evidence of their completion.

No injunction preventing assessors to file their rolls shall be issued.

Effect of judgment to be rendered by any court in relation to contestation of assessment.

assessment of any other person or property appearing upon the tax rolls.

State tax collectors for the parish of Orleans—how and by whom appointed—their district—term of office.

SEC. 37. *Be it further enacted, etc.,* That the Governor shall appoint, by and with the advice and consent of the Senate, two State tax collectors for the parish of Orleans, one for the first district, being all that territory above Canal street, and the other for the second district, being all that territory below Canal street, including that portion of the parish of Orleans on the right bank of the river, who shall hold their offices for the term of four years; *provided*, that if said offices be already filled by appointment, this Act shall not be construed as creating a vacancy therein. Each of the said tax collectors shall take the constitutional oath of office, and each of them shall execute his bond in favor of the Governor of the State of Louisiana, for the sum of fifty thousand dollars with solvent sureties, who shall be bound in solido with each other and their principals; but each surety may bind himself for a limited sum; *provided*, the aggregate of said limited sums shall be fifty thousand dollars; *provided*, that the first term of said officers shall expire on the second Monday of July, 1888.

Oath of office and bond of said tax collectors.

Form of bonds of tax collectors, by whom approved, where to be recorded, etc.

SEC. 38. *Be it further enacted, etc.,* That all bonds to be executed by said tax collector shall be approved by the Governor, and shall be recorded in the mortgage office or records of the parish of Orleans, and in all other parishes in which the principal owns real estate, and shall operate as a legal mortgage upon all real estate of the principal therein; and shall be conditioned that the principal shall carefully, impartially and diligently collect all licenses and all taxes assessed therein; shall punctually sell property to pay all delinquent taxes, and shall faithfully and promptly pay into the State Treasury all licenses and taxes collected by him, and do and perform such other duties as are or may be prescribed by law.

Tax collectors—how removed or suspended.

SEC. 39. *Be it further enacted, etc.,* That the Governor shall have power to remove said tax collectors of the parish of Orleans or either of them or suspend from office, pending the finding of articles of impeachment for any cause which he decides to be just and sufficient, and to make appointments to fill all vacancies in said office, with the advice and consent of the Senate if in session, or if not in session, subject to the advice and consent of the Senate at its next session, and all such appointees shall qualify as aforesaid.

Taxes—when and at what time due and collectible.

SEC. 40. *Be it further enacted, etc.,* That all taxes shall be collected in the calendar year in which the assessment thereof is made, and they shall be designated as the "taxes of the year 1886," and of each subsequent year, accordingly as they are collectible, and the taxes assessed in the year A. D. 1886, and each subsequent year, shall be due in the calendar year in which the assessment is made, and in each subsequent year as soon as the tax roll is filed in the office where the mortgage records are kept, and they shall be paid on or before the thirty-first day of December in each respective year, in order to avoid the notice, advertisement and sale required by Article 210 of the Constitution; and the taxes on movable property shall be paid on the first day of the calendar month next succeeding the filing of the tax roll in the office where the mortgage records are kept;

provided, that no forced collection of taxes on movable property shall be made before the first day of October, unless the collector has good reason to believe that the State, parish or municipal corporation will lose the same; *provided further*, that on all taxes unpaid on the thirty-first day of December of each and every year shall bear interest at the rate of two per cent. per month from said date.

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SEC. 41. *Be it further enacted, etc.*, That on the first day of the calendar month next succeeding the filing of the rolls, or as soon thereafter as possible, the tax collector or sheriff shall address to each tax payer who has not paid all the taxes which have been assessed to him on movable property, a written or printed notice, setting forth in substance that the State tax assessed to said tax payer on movable property in said parish, stating the aggregate assessed value of said property and the aggregate sum of the taxes for the current and all preceding years due thereon, fell due and should have been paid in full on or before the first day of the then current month; that the said tax payers became delinquent for said taxes on the first day of said month; that after the first day of October the tax collector or sheriff will seize and advertise for sale the movable property on which the said taxes are due, in the manner provided by law for judicial sales; that at the principal front door of the court-house where the civil district court of said parish is held, or at the place of seizure in the parish of Orleans, he will sell, within the legal hours for judicial sales, for cash, and without appraisement, such portion of the said movable property as the tax payer shall point out and deliver to said tax collector or sheriff; and in case the tax payer shall not point out sufficient property, that he will at once and without further delay, sell for cash, without appraisement, the least quantity of said movable property which any bidder will buy for the amount of taxes assessed upon the same, with interest and costs for the current and all preceding years, and attorney's fees.

Duties of tax collectors previous to collection of taxes on movable property—how said tax payers become delinquent—duties of tax collectors in such event.

SEC. 42. *Be it further enacted, etc.*, That the tax collector or sheriff shall either deliver to each tax payer in person, or shall leave at his residence or place of business, or shall mail to him by postal card, addressed to the postoffice of said tax payer, one of said notices, for which he shall be entitled to collect from said tax payer five cents as costs; *provided*, no notice shall be charged for unless the same has been actually delivered or mailed to the tax payer; *and, provided further*, no mileage shall be charged for the service of a notice. He shall certify on both tax rolls, that he has served or mailed all of said notices, and said certificate on either tax roll shall make full proof until disproved in a judicial proceeding.

Notice to be given to tax payers—form of notice and manner of delivery.

SEC. 43. *Be it further enacted, etc.*, That the tax collector or sheriff shall publish once in a newspaper published in his district or parish, if there be one, or in the manner provided by law for judicial sales, one general notice, substantially in the foregoing form, address to all owners of assessed movable property situated in his parish or district, whose names, postoffice or agents are unknown, in which he shall set forth substantially that the taxes of said unknown owners are due and unpaid, and if not paid within twenty days, that he will proceed to seize

General notice to be given by the tax collectors to non-resident tax payers—his duties after giving said notice.

and sell such quantity of the movable property of each of said unknown owners as will pay all the taxes, interests and costs. He shall certify on both tax rolls that he has published and posted said notices, and said certificates on either shall make full proof thereof, until disproved in a judicial proceeding. He shall pay for said publication and shall be entitled to collect as costs thereof, one dollar from each owner or from the property assessed to him.

Fees for publication.

Mode and manner of selling movable property for taxes.

SEC. 44. *Be it further enacted, etc*, That at the expiration of the said twenty days' notice, counting from the day when the last of said notices is delivered, and from time to time thereafter, mailed, published or posted, the tax collector or sheriff shall, after the first day of October proceed to advertise for sale, in the manner provided for judicial sales, under one heading, all or any part of the property on which taxes are due, substantially in the following form, to-wit :

"STATE TAX SALES ON MOVABLE PROPERTY."

Form of tax sales of movable property.

"The State of Louisiana vs. Delinquent Tax Debtors, Parish of ———, District ———."

"By virtue of the authority vested in me by the Constitution and laws of Louisiana, I will sell at the principal front door of the court-house in which the Civil District Court of said parish is held, or at the place of seizure in the parish of Orleans, within the legal hours for judicial sales, beginning at 11 o'clock a.m., Saturday, the — day of —, A. D. 18—, and continuing on Monday and each succeeding day until said sales are completed, all property on which taxes are now due to the State of Louisiana, to enforce collection of all the taxes assessed in the year 18—, and each year previous thereto, together with interest thereon from the thirty-first day of December, 18—, until paid, and all costs.

"The names of said delinquent taxpayers, the amount of taxes due by each on the assessment of said year, and the property assessed to each to be offered for sale, are as follows, to-wit :

(Here state names in alphabetical order, the amount of the taxes assessed in each year, then the description of the property to be offered for sale, and conclude substantially thus:)

"On said day of sale I will sell such portions of said property as each tax debtor will point out, and in case the tax debtor shall not point out sufficient property, I will at once and without further delay, sell the least quantity of said property of any tax debtor which any bidder will buy for the amount of the taxes, interest and costs due by said tax debtor. The sale will be without appraisement, for cash, in legal tender money of the United States."

Said advertisement shall be signed officially by the State tax collector, or by the sheriff and *ex officio* collector of State taxes, and shall be dated.

Advertisement of tax sales to be paid by tax collector or sheriff, to be paid by delinquent.

How refunded, when enjoined.

The expenses of publishing all advertisements of tax sales shall be paid by the tax collector or sheriff, and shall be paid to him by the delinquent tax debtors, according to the space occupied by each in the body of said advertisement, and shall be collected as costs. Should he be prevented by injunction or other-

wise from collecting all of said costs, he shall be refunded any deficiency out of the taxes collected from the other property advertised for sale.

SEC. 45. *Be it further enacted, etc.,* That any person shall be Privilege and right of tax payer in the sale of his movable property. allowed to point out the particular movable property which he may desire to have sold for taxes due by him, by delivering said property to the tax collector or sheriff, at his office, on or before the day of sale; *provided*, that said property be sufficient in the opinion of the tax collector or sheriff to realize the amount of the taxes due.

SEC. 46. *Be it further enacted, etc.,* That the tax collector or sheriff shall seize the movable property of any tax debtor without notice, whenever he believes that such seizure is necessary to enable him to collect any tax due by said debtor, and he shall make such seizure at any time whenever he has good reason to believe that the tax debtor will conceal, part with or dispose of the said movable property, which fact must be made to appear by the affidavit of the tax collector or one of his deputies, and shall advertise said property in the manner provided for judicial sales, for cash, without appraisement; and shall sell the least amount of the property seized which any bidder will buy for the amount of the taxes, interest and costs. Seizure and sale of movable property—how effected.

SEC. 47. *Be it further enacted, etc.,* That in addition to the mode of sale provided for in the foregoing sections, the tax collector or sheriff is authorized and empowered to collect the tax due by any person or persons upon movable property, for any year, past, present or future, either by taking into his possession so much of said movable property as may be requisite in his opinion, to realize the amount of the tax or taxes, or by placing a keeper upon the movable property subject to the tax until the day of sale, upon which day so much of said property as may be necessary to realize the tax or taxes, interests and costs for which it has been seized, shall be sold to the highest bidder. Tax collectors authorized to collect taxes due on movable property by taking it into possession or by placing a keeper upon it.

SEC. 48. *Be it further enacted, etc.,* That in all cases where the tax collector or sheriff shall proceed under the authority of the preceding section, he shall give notice in writing of his purpose to make such seizure, three days before actually taking the property into his possession or placing a keeper thereon; said notice shall state the amount of taxes, interest, costs and penalties in detail, containing a demand for payment and a statement of the intention to seize in default of payment within said three days, and said notice shall be served in the manner now provided for services of notice of seizure under writs of *fiery facias*, by the tax collector or deputy, and a return or statement in writing of the mode of such service shall be made by the officer serving the same and be filed in the office of the tax collector or sheriff, and shall be received by the courts as *prima facie* evidence of notice. Notice to be given to owners of movable property so taken possession of.

SEC. 49. *Be it further enacted, etc.,* That on the expiration of the three days for notice as above required, the tax collector may seize and take into his possession or place a keeper as provided in the third section of this Act, and thereupon the tax collector or sheriff shall advertise, in the manner provided for judicial sales of movable property, that he will sell so much of Form of notice, manner of serving same, etc. Duties of tax collector after having given notice to delinquent tax payers on movable property.

the property so seized as may be necessary to pay all the taxes, interest and costs for which said seizure had been made, and all said sales shall be without appraisalment.

Right of debtor to have his property released on giving bond.

SEC. 50. *Be it further enacted, etc.,* That where seizure is made in any of the forms above provided of movable property to enforce the payment of taxes, the debtor may release the same until the day of sale, upon his forthcoming bond, with solvent security *in solido*, which shall be executed in the same manner as forthcoming bonds for property seized under writs of *fiert facias*. It shall be the duty of anyone so releasing his property to return the same into the possession of the sheriff or tax collector for sale, on or before the day of sale; otherwise the forthcoming bond shall be considered forfeited, and shall be filed in the office of the clerk of the civil district court of the parish, and shall have the force and effect of a twelve months' bond, and shall be executed by writ of *fiert facias* issued thereon by the clerk against the principal and sureties *in solido*, as provided by law for the enforcement of twelve months' bonds. The forfeiture of said bond shall be made to appear by the certificate of the tax collector or sheriff written thereon.

Notice to be given by the tax collector to tax payers on immovable property.

SEC. 51. *Be it further enacted, etc.,* That on the second day of January, 1887, and each subsequent year, or as soon thereafter as possible, the tax collector or sheriff shall address to each tax payer, who has not paid all the taxes which have assessed to him, on immovable property, a written or printed notice that his taxes on immovable property must be paid within twenty days after the service or mailing of said notice, or that said property will be sold according to law: *Provided*, in all cases where two or more lots or parcels of grounds shall have been assessed in any year or years to one person or firm at a certain valuation for the whole together, without distinguishing, the valuation of each lot or parcel separately, the tax collector is authorized to receive the proportion of taxes under such assessment fairly due upon any one or more of such lots or parcels separately, such proportions to be ascertained and fixed by a certificate signed by the assessor and approved by the tax collector, and such lots or parcels upon which their proportion shall be so paid shall be free from proportion of taxes pertaining to the other lots or parcels of such assessment.

When taxes on immovable property must be paid.

Right of tax collector to collect ten cents for notice by postal card.

SEC. 52. *Be it further enacted, etc.,* That the tax collector or sheriff shall either deliver to each tax payer in person, or shall leave at his residence or place of business, or shall mail to him by postal card, addressed to the postoffice of said tax payer, one of said notices, as required in section 51 of this act, for which he shall be entitled to collect from said tax payer ten cents as costs; no mileage to be charged for the service of said notice.

General & weekly notice to be published by tax collector—effect of said notice—cost of publication.

SEC. 53. *Be it further enacted, etc.,* That the tax collector or sheriff shall publish, once a week for two weeks, in one newspaper published in his district or parish, if there be one, or in the manner provided for judicial sales if there be none published in his parish, one general notice substantially in the foregoing form, addressed to all unknown owners of assessed immovable property situated in his parish or district, in which he shall describe the property as described in the tax roll. He shall certify on his tax rolls that he has published said notices, and said

certificates on either, shall make full proof thereof until disproved in a judicial proceeding.

He shall pay for said publication, and shall be entitled to collect as costs thereof one dollar from each unknown owner, or from the property assessed to him.

SEC. 54. *Be it further enacted, etc.,* That at the expiration of the said twenty days' notice, or as soon thereafter as practicable, counting from the day when the last of said notices is delivered, mailed, published or posted, the tax collector or sheriff shall proceed to advertise for sale the consolidated delinquent tax list under one form, as provided for judicial sales, all the immovable property, on which the taxes are due, substantially in the following form, to-wit:

Duty of tax collector to seize and sell immovable property after notice.

State tax sales of immovable property. The State of Louisiana vs. Delinquent Tax Debtors, parish of———district———. By virtue of the authority vested in me by the Constitution and laws of the State of Louisiana, I will sell, at the principal front door of the court-house, in which the civil district court of said parish is held, or at the place of seizure, in the parish of Orleans, within the legal hours for judicial sales, beginning at 11 o'clock a. m., on Saturday, the——day of——, A. D., 18—, and continuing on each succeeding day, until said sales are completed, all immovable property on which taxes are now due to the State of Louisiana and parish of——, to enforce collection of taxes assessed in the year 18—, together with interest thereon from the thirty-first day of December, 18—, at the rate of one per cent per month until paid, and all costs. The names of said delinquent tax payers, the amount of taxes due by each on the assessment of said year, and the immovable property assessed to each, to be offered for sale as follows, to-wit:

Form of notice of sale of immovable property for taxes by tax collector.

(Here state names in alphabetical order, the amount of taxes assessed in each year, on each specific piece of property, then the description of each specific piece of immovable property to be offered for sale, and conclude substantially thus:)

On said day I will sell such portions of said property as each debtor will point out, and in case the debtor will not point out sufficient property, I will at once, and without farther delay, sell the least quantity of said property of any debtor, which any bidder will buy for the amount of the taxes, interest and costs due by said debtor. The sale will be without appraisal, for cash, in legal tender money of the United States, and the property sold shall be redeemable at any time for the space of one year by paying the price given, with twenty per cent. and costs and penalty added. Said advertisement shall be signed officially by the State tax collector, or by the sheriff and ex-officio collector of State taxes, and shall be dated; *provided*, that the bid to be accepted shall be at least equal to the taxes and costs and interests; otherwise the tax collector is hereby authorized to bid in said property for the State, and shall not re-advertise for sale said property or properties so adjudicated to the State, unless the same has been redeemed, and shall make out and record a title deed or act, and all such sales to the State shall be included in one act, and forward a certified copy of said act of sale to the Auditor of Public Accounts; *provided*, that in the parish of Orleans the tax collector shall not be required to

advertise the names and property of all delinquent tax payers at one advertisement but may proceed alphabetically, and advertise the names and property on which the largest amount of taxes are due, taking some fixed amount as the basis, and first advertising all above the amount so fixed at one and the same time, and shall so continue in like manner to advertise and sell from time to time as fast as possible until the collection of all delinquent taxes is enforced; *provided*, that in each ten lines of nonpareil type of tax sale advertisement shall constitute a square, and shall be paid for by the tax collector, as now provided by law. Each delinquent being responsible only for the pro rata space of said ten lines occupied by the description of his taxes and property.

Duties of tax collectors in selling property for taxes.

SEC. 55. *Be it further enacted, etc.*, That the tax collector or sheriff shall seize, advertise in the manner provided for judicial advertisements, and sell any other property belonging to the tax debtor, to collect the taxes, interest and costs due by him, for whatever the same will bring in cash, without appraisement, whenever any part of it has been concealed, parted with or disposed of by the tax debtor before the day of the sale; and in any such case it shall be the duty of the tax collector or sheriff to make sales of the property of delinquent tax debtors as often as he may be able to find any property of said debtors, until all the taxes, interest and costs due by them are paid. In all cases where the tax collector cannot make a seizure of the personal property liable for the tax assessed against it, either because of the nature of the property assessed or because the owner or his representative holds it in his possession or under his control in such a manner that the tax collector cannot lay hands upon it, and refuses on demand to deliver the same to the tax collector, said tax collector shall have the power, and it is hereby made his duty, to take in the district court a summary rule upon the person assessed, or his representative, as the case may be, returnable in five days, in vacation as well as in term time, to compel the delivery to him of said property, or of so much thereof if the same be divisible in kind, as may be necessary to realize at public sale the amount of the taxes, costs and penalties.

Duties of tax collectors in cases where he cannot make seizure of personal property.

Growing or gathered crops, or shares therein—how seized and sold for taxes.

SEC. 56. *Be it further enacted, etc.*, That the tax collector or sheriff is authorized to seize and sell any growing or gathered crops or shares therein, and to proceed in the courts to procure the garnishment of any salary, compensation or reward for personal services, or of any obligations, rights, credits or debts due to the tax debtor in any form whatever, whenever such seizure or garnishment may be necessary to collect the taxes assessed, and no deposit or security for costs shall be required in such cases.

Tax or license suits to be tried by preference, without jury and in chambers.

SEC. 57. *Be it further enacted, etc.*, That all suits relating to taxes or licenses shall be preference suits in all courts where pending, and shall be tried without a jury and as speedily as possible, and in chambers, if court is not in session.

Tax collectors authorized to appoint deputies.

SEC. 58. *Be it further enacted, etc.*, That each tax assessor and each tax collector, and each sheriff and ex-officio collector of State taxes, is authorized to appoint as many deputies as he may require, who shall take the constitutional oath of office, and from whom the tax assessor, tax collector or sheriff shall require

such security in his own favor as he deems sufficient; and he may perform all the functions of the office of tax assessor or tax collector through said deputies, but he shall be officially and pecuniarily responsible on his bonds and in all other respects for the acts of said deputies.

Fees of tax collectors.

SEC. 59. *Be it further enacted, etc.,* That for all the services, labors and duties performed by each sheriff and *ex officio* tax collector throughout the State, he shall be paid five per centum on all State and parish taxes collected by him and actually paid over to the State and parish treasury. For the seizures, sales and tax deeds made by each tax collector or sheriff, he shall be allowed the same costs which are allowed by law to sheriffs for mileage, seizures, sales and sheriffs' deeds in judicial proceedings; *provided*, that he shall not be allowed to charge for any service not actually rendered for any seizure not actually made, nor for any mileage not actually traveled; *provided*, that when property has been adjudicated to the State, the said tax collectors shall be allowed and paid by the Auditor for making act of sale, having the same recorded and furnishing the Auditor with a certified copy thereof, one dollar and fifty cents for each name contained therein, also actual expenses for advertising.

SEC. 60. *Be it further enacted, etc.,* That it is made the imperative duty of the tax collector to take actual possession of all property bid in for and adjudicated to the State for unpaid taxes, and to lease or rent the same and collect the rental and turn the same into the State Treasury, and all moneys thus paid into the Treasury shall go to the credit of the general fund. For all moneys so paid the collector shall receive a commission of ten per centum. That all personal property sold at tax sales shall be immediately delivered into actual possession of the purchaser by the State tax collector or sheriff, who is hereby invested with full authority and power to make all the seizures necessary to take and deliver such actual possession.

Duties of tax collectors in relation to property adjudicated to the State for unpaid taxes.

Their fees for moneys collected as rent.

Immediate delivery of personal property sold at tax sales to be made.

SEC. 61. *Be it further enacted, etc.,* That tax collectors and *ex-officio* tax collectors, throughout the State, shall be, and are hereby required to seize, advertise and sell the property upon which delinquent taxes are due, on or before the first day of May, 1887, or as soon thereafter as possible, and of each succeeding year thereafter; *provided*, in case where the property is purchased by the State, that the sheriff or tax collector is hereby authorized and empowered to pay all costs of advertising property for delinquent taxes, out of any funds realized from said sales, and if any tax collector or *ex-officio* tax collector should fail, neglect or refuse to seize, advertise or sell the said delinquent property, as aforesaid, he shall be deemed guilty of nonfeasance in office, and upon conviction, shall be dismissed therefrom.

Sale of property for delinquent taxes due thereupon to be made on or before the 1st day of May, 1887.

Penalty for tax collector who fails to sell as aforesaid.

SEC. 62. *Be it further enacted, etc.,* That after property has been adjudicated to the State in default of a bidder, as provided in Section 54 of this act, the same shall be continued to be assessed in the name of the person to whom it belonged at the date of the sale, until the lapse of one year from the date of recording the act of sale to the State; *provided*, that the assessors shall designate such property adjudicated to the State, and list and assess the same separately from all other property.

When property is adjudicated to the State, how same is to be assessed afterwards.

Property sold to State—how, when and by whom it can be redeemed.

SEC. 63. *Be it further enacted, etc.,* That if the owner or any person interested personally, or as heir, legatee, creditor or otherwise in any lot or lands bid in for and adjudicated to the State within twelve months from the day the act or deed is filed for record in the conveyance office, pay to the Treasurer of the State the taxes, interest and costs and twenty per cent on the price given, the Auditor, upon production of the Treasurer's receipt, shall execute and deliver to such person a certificate of redemption of the same under the seal of his office, which shall be held and taken as evidence of the redemption of such land, and lands with the name of the person redeeming the same, and the amount paid shall be entered on his records of the lands across the entry of the same.

Deed of sale to individuals for property sold for taxes—by whom and how made.

SEC. 64. *Be it further enacted, etc.,* That each State tax collector, and each sheriff and *ex officio* collector of State taxes, shall execute and sign in person or by deputy, in the name of the State of Louisiana, a deed of sale to purchaser of any real estate sold for taxes, in which he shall relate in substance a brief history of the proceedings had, shall describe the property, state the amount of the taxes, interest and costs, and the bid made for said property and the payment made to him in cash, and shall sell said property to the purchaser with the right to be placed in actual possession thereof by order of a court of competent jurisdiction, and shall conclude said deed with the statement that the said property shall be redeemable at any time for the space of one year, beginning on the day when the said deed is filed for record in the conveyance office in the parish in which the property is situated.

Property so sold subject to redemption within one year from date of recordation of sale.

Tender—how made by the owner of property adjudicated to a purchaser for taxes—how and with whom deposited.

Proviso.

SEC. 65. *Be it further enacted, etc.,* That the tender required from the owner of property adjudicated to a purchaser for taxes due in accordance with Article 210 of the Constitution, may be made to and deposited with the tax collector, or *ex officio* tax collector making said sales, or his successor in office; *provided*, the same be made within the time required by said article; *provided, further*, that said tender to and deposit with the aforesaid officer can be made only when the purchaser cannot be found.

Order of seizure and possession to issue to purchaser of property sold for taxes.

SEC. 66. *Be it further enacted, etc.,* That upon presenting a certified copy of said deed to any judge of competent jurisdiction, to be determined by the value of the real estate therein contained and not the amount of the taxes, the judge shall, in chambers, grant an order of seizure and possession, commanding the sheriff to seize said property and place the purchaser in actual possession thereof; and writ of possession shall be issued thereon by the clerk, but the purchaser may take actual possession without such order with the consent or acquiescence of the tax debtor or otherwise; *provided*, no force or violence shall be used.

Rents and revenues of property sold for taxes to be long to purchaser.

SEC. 67. *Be it further enacted, etc.,* That from the date of recording of said tax deed of sale, all the rents and revenues of the property therein conveyed shall belong to the purchaser, and shall be paid to him, and all taxes thereon shall, after that date, be assessed to and shall be paid by him until the said property be redeemed. If redeemed, the person redeeming shall pay all the taxes assessed upon said property subsequent to the tax sales. All actions to annul tax sales for any irregularities or

informalities of whatever nature shall be prescribed by two years from the day the tax collector's deed is recorded.

SEC. 68. *Be it further enacted, etc.,* That upon statement of the facts, made under oath and verified and approved by the assessor and collector of the parish or district in which the property is situated, that the assessment is a clerical error, or an erroneous or double assessment, or that the property is exempt by Article 207. Constitution, from taxation, the Auditor shall authorize the collector to cancel the assessment on the roll on file in his office, and the recorder of mortgages to erase and cancel inscription of tax mortgage, and if sold to cancel the sale.

Auditor authorized to cancel the assessment in cases of double or erroneous assessment.

SEC. 69. *Be it further enacted, etc.,* That on the production of the receipt of the collector of State taxes, duly made and bearing date prior to the time the property was adjudicated to the State, in default of bidder, the Auditor shall furnish the owner of such property a quit claim of the title of the State, and shall charge the collector with the taxes allowed thereon and costs together with twenty per cent damage, to be collected as any other money for which such collector may be in default.

Duties of Auditor in cases where property was adjudicated to State, and when receipt for the said taxes are produced.

SEC. 70. *Be it further enacted, etc.,* That if any error in the description of any property or owner's name be discovered by the tax collector or sheriff, it shall be his duty to note the correct description and name on the tax rolls, and to advertise and sell said property by its correct description; *provided*, no such change shall be made without ten days' notice to the real owner of such property, and the proof of such service shall be in writing and filed in the tax collector's office.

Errors in owner's name or description of property—how to be corrected by the tax collector.

SEC. 71. *Be it further enacted, etc.,* That no sale, pledge, mortgage, or other alienation or encumbrance of property made after the tax roll shall have been filed in the office of mortgages, shall effect the taxes assessed thereon, but the same shall still be seized, advertised and sold as the property of the taxpayer to whom assessed to enforce payment of delinquent taxes.

Property mortgaged, sold, pledged or otherwise alienated or encumbered after the taxes have been assessed not to affect said taxes.

SEC. 72. *Be it further enacted, etc.,* That whenever property has been listed and assessed in the name of unknown owners, or to persons other than the real owners, and the tax collector shall subsequently discover the real owner thereof, it shall be his duty to at once notify the said real owner that certain described property belonging to him or her has been assessed to unknown owners, or to any other person or persons, and calling upon him or her to come forward within ten days from the service of said notice, and show cause why the listing and valuation of the said property should not stand as final; and the said collector shall also and at once notify the assessor of the fact, that a certain described property or properties assessed to unknown owners, or to persons other than the real owners, has been discovered to be the property of a certain named person or persons, and the said assessor shall, after ten days' notice to the owner, make the necessary correction upon his rolls and the rolls in the offices of Recorder of Mortgages and Auditor of Public Accounts.

How property listed and assessed to unknown owners to be proceeded with, when the tax collector discovers the real owner.

SEC. 73. *Be it further enacted, etc.,* That all taxes assessed under this act, may be paid in any money which, at that time, is a legal tender for private debts of the same amount under the laws of the United States, and the said tax collectors are authorized and required to receive in payment of taxes and

How and with what taxes and licenses may be paid.

licenses due the respective funds of each year, all valid warrants of the State, which may have been drawn as directed by law against said fund. And the said tax collectors are hereby required to give a receipt to the person or persons from whom they shall receive any warrant for taxes or licenses, and shall furnish the Auditor with a sworn statement of the persons who have thus paid their taxes and licenses and the amount received from each. And the Auditor is hereby instructed to include such statement in his report. No collector shall receive or turn into the treasury any other warrants than those included in said sworn statement, and which have actually been received by him in payment of taxes and licenses by the tax and license payers. And any tax collector violating the provisions of this section, shall be deemed guilty of a crime, and on conviction shall be punished by imprisonment at hard labor for not less than one nor more than five years. No parish or municipality shall receive for parish or municipal taxes any bond, coupons or warrants, approved account or any evidence of indebtedness, except juror and witness certificates, which the said parishes are hereby authorized to receive for taxes.

Prohibition against any notary, recorder or sheriff to pass any act of sale or donation without seeing receipts for all taxes due.

SEC. 74. *Be it further enacted, etc.,* That it shall be unlawful for any notary, or recorder, or sheriff, to pass any act of sale or donation without seeing that the taxes are paid, as per receipt exhibited, and stating in the act the payment absolutely of all the State, levee district, municipal and parish taxes due upon the property described in the act.

Acts under private signature, notarial or private acts, not to be passed, authenticated or recorded without the payment of all taxes first being made.

SEC. 75. *Be it further enacted, etc.,* That no notary or parish recorder shall pass any act of sale or shall recognize the signature of any witness or witnesses to any private act of sale, with a view to give said private act of sale the sanctity of a public act, unless there shall be attached to said act of sale, or notarial act, or private act, the receipt of the officer or officers whose duty it is to collect the parish, municipal, levee district and State taxes, and the receipt of the city tax collector, if said property is located within the limits of any incorporated city or town, showing that all the taxes due to the State, levee district, parish and city have been paid in full to date.

Penalty for any notary public or recorder for violation of this act.

SEC. 76. *Be it further enacted, etc.,* That any notary public or recorder violating this act shall be guilty of a misdemeanor, and the act offered in evidence shall be *prima facie* evidence of guilt. The district attorney, on the offense being made known to him, shall proceed against such officer by indictment or information, and on conviction such officer shall be fined not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200).

Duty of district attorney in relation thereto.

Commission to tax collectors in parish of Orleans.

SEC. 77. *Be it further enacted, etc.,* That the tax collectors in the parish of Orleans shall receive for their services and all expenses for collecting taxes and licenses for the upper district three per cent, and for the lower district four per cent, on all taxes actually paid into the State Treasury.

Returns to be made by the tax collectors of moneys collected for State.

SEC. 78. *Be it further enacted, etc.,* That the several collectors of taxes, in making their return to the Auditor of Public Accounts and police juries of moneys collected for the State and parish taxes, to be paid into the treasury, shall state separately in such returns the amount of the general fund, interest, levee and school taxes so collected; also the amount collected for poll

tax and for licenses, and for such other taxes as may be assessed or levied by the State or parish. The Auditor of Public Accounts shall furnish suitable blanks for making such returns.

SEC. 79. *Be it further enacted, etc.,* That within the first ten days of April, July, October and January, respectively, the tax collectors of the several parishes throughout the State (parish of Orleans excepted), shall render their respective accounts for all taxes collected or moneys received on account of the State during the preceding months, and pay the same over to the State Treasurer, and for that purpose the said tax collectors shall make and transmit to the Auditor of Public Accounts, a statement whether or not they have collected any taxes within the preceding months, and with an oath taken and subscribed and appended thereto that the same contains a faithful account of all taxes collected and the amount received, if any, from licenses to persons pursuing trade, profession or taxed occupation, similar settlements for all parish taxes and licenses shall be made by the tax collectors during the first week of each month with the parish treasurer; that all tax collectors shall make their final settlement with the Auditor of Public Accounts and police jury within ten days after the twentieth day of July of each year; and every collector failing to comply with this section, shall be proceeded against as provided by law. The tax collectors for the parish of Orleans shall make monthly settlements with the Auditor of Public Accounts, and pay into the State Treasury the sums collected for account of the State.

Time at which tax collectors (those of Orleans excepted) shall make their settlements—how and with whom.

Tax collectors of Orleans to make monthly settlements.

SEC. 80. *Be it further enacted, etc.,* That the said tax collectors shall settle with the police jury, and in default of such settlement shall be removed from office in the manner provided by law.

Penalties for tax collectors to settle with police jury.

SEC. 81. *Be it further enacted, etc.,* That if any tax collector fails or neglects to make a settlement provided by law, he shall forfeit the commission so allowed him, and interest at the rate of five per cent. per month, of the sum withheld, to be computed from the time the same should have been paid, until actual payment, and the Auditor of Public Accounts and police jury shall charge said delinquent accordingly, and immediately after such delinquency shall occur require the district attorney of the district or parish, wherein such tax collector may perform his functions, to proceed against such collector and his securities by rule, before any court of competent jurisdiction, after three days' notice, for the recovery of the amount due by the tax collector. It shall be the duty of the Auditor in case any tax collector shall withhold his settlement more than twenty days after the time fixed by law, to send a certified statement of his account to the judge of the district, who shall be required to give it in special charge to the grand jury, and that such statement shall be held sufficient evidence for the finding of a true bill, and, as provided by law, shall be read in evidence against the accused on the trial of the case. The suit shall have precedence on the docket of the court, whenever it may be instituted, over all other cases, and any tax collector who, having made his monthly or quarterly settlement, as provided for in this act, or in any other act, shall fail immediately to pay the amount so ascertained to be due into State or parish treasury, and obtain the treasurer's receipt therefor, shall, in addition to the forfeiture of commission and

Penalty for tax collectors failing or neglecting to settle with the Auditor and police juries—duty of Auditor in relation thereto.

interest as aforesaid, be subject to the penalties provided for embezzlement, and to removal from office. Should any tax collector fail to render a final statement and settle in full within the time prescribed in this act, he shall be condemned to pay the costs of all proceedings against him, as a penalty for his neglect, though he may not be indebted to the State; and the Auditor is empowered to require a settlement of the accounts of any official whenever, in his judgment, the public interests would be subserved thereby, or whenever any of the sureties of such official request the Auditor to order a settlement of the accounts of such officer.

Commission of District Attorney for collecting money from tax collectors, penalty against district attorneys for non-performance of his duties.

SEC. 82. *Be it further enacted, etc.,* That the district attorneys collecting money by virtue of the proceeding contemplated in the preceding section, or by any other law now in force or that may hereafter be enacted, shall receive five per centum on the amount thereof, where not otherwise provided, as a compensation for collecting and paying the same into the State or parish treasury; and any district attorney failing to return said money, as soon as collected, into the State or parish treasury, shall be subject to criminal prosecution, and in addition to the penalties already provided by law for the punishment of fraud and breach of trust, and shall upon conviction have his name stricken from the roll of attorneys and be prohibited ever afterwards from practicing law in this State.

Securities of tax collectors authorized to take possession of list of unpaid taxes, and to hold the same until a new collector is appointed and qualified.

SEC. 83. *Be it further enacted, etc.,* That in case of death or absence of any tax collector, or of his failure from any cause to pay the taxes into the treasury within the time prescribed by law for his final settlement, his securities shall be authorized to take into their possession the list of taxes remaining unpaid, and hold the same until his successor is appointed and qualified, when the securities shall immediately make a final settlement with the Auditor of Public Accounts and with the police jury, as provided by law.

Penalty against any tax collector for acting without having qualified or given bond.

SEC. 84. *Be it further enacted, etc.,* That any tax collector or person collecting or attempting to collect any licenses or taxes in the State of Louisiana, or of any parish, without having been duly qualified and given bond in accordance with law, or without having lawful authority so to do, shall be subject to a fine of not less than one thousand dollars nor more than five thousand dollars, and to be imprisoned not less than two or more than five years at hard labor. It shall be the duty of the Attorney General in New Orleans and of district attorneys in the parishes of this State, upon information from the Auditor of Public Accounts or from the president of the police jury, to prosecute all such cases in their respective parishes or districts, for which a fee of fifty dollars upon each conviction, shall be paid to the attorney prosecuting.

Duty of Attorney General or district attorney to prosecute in certain cases

Duty of outgoing tax collectors (those of Orleans excepted) — penalty for non-compliance with this section.

SEC. 85. *Be it further enacted, etc.,* That all outgoing tax collectors, except those in the city of New Orleans, shall hand over to the recorders of their several parishes their lists of all unpaid or delinquent taxes as soon as their successors are qualified, or they retire or are removed from office; and all outgoing tax collectors for the city of New Orleans shall, without delay, hand over their respective lists of delinquent or unpaid taxes to the Auditor of Public Accounts, who shall deliver them to the newly

Appointed tax collectors as soon as they are qualified according to law. In the several parishes of the State other than the city of New Orleans, the recorders shall deliver to the newly appointed tax collectors the delinquent or unpaid tax lists which were deposited with them by the outgoing tax collectors, on the order of the Auditor of Public Accounts or police jury, certifying that said collectors have qualified in accordance with the law. Such delinquent lists shall be handed over, as aforesaid, by such outgoing tax collectors within one month from the day when their successors were duly qualified, under a penalty of one thousand dollars, in parishes other than Orleans; in the parish of Orleans, five thousand dollars; and the said penalty shall be sued for and collected by the Attorney General in the city of New Orleans, and by the district attorneys in the other parishes of the State, from the tax collectors so offending, upon information from the Auditor of Public Accounts or police juries.

Duty of attorney general and district attorney.

Bonds of tax collectors—how and by whom cancelled.

SEC. 86. *Be it further enacted, etc.,* That the recorders of the several parishes of the State are hereby authorized to cancel all bonds and mortgages registered against tax collectors or assessors and their securities, upon the production of a certificate from the Auditor of Public Accounts and president of the police jury, of their having paid into the State and parish treasury, all moneys collected by them by virtue of their office aforesaid, and for the faithful collection whereof the bonds or mortgages, as the case may be, were given, or for the faithful performance of their duties as collectors, when certified by the Auditor of Public Accounts and presidents of the police juries, that they have fulfilled said duties in accordance with law; *provided*, that the Auditor of Public Accounts and presidents of the police juries shall not give a certificate of discharge to any collector until they are satisfied that the delinquent list returned is correct; *provided further*, that no judgment of any court of this State shall have the effect of giving a discharge to or of cancelling the bonds or mortgages registered against tax collectors or assessors in their said capacities, unless the certificates of the Auditor and the president of the police jury, fully releasing such tax collector from the obligation of such bond or mortgages, is first obtained and produced in such court.

State tax collector or to be the collector of the parish taxes for the parish wherein he exercises his duties, with the same powers and entitled to the same commissions as provided for the collection of State taxes.

Duties of tax collector or sheriff when the taxes are paid in full.

Duties of recorder of mortgages upon the exhibition of tax receipt.

Compensation of recorder for erasing mortgage.

SEC. 87. *Be it further enacted, etc.,* That the State tax collector shall be the collector of all parish taxes and shall have the power to enforce the collection of parish taxes as of State taxes. The tax collectors throughout the State shall receive the same rate of commission for collecting the parish taxes that is prescribed by law for the collection of State taxes.

SEC. 88. *Be it further enacted, etc.,* That whenever taxes are paid in full, the tax collector or sheriff shall give his tax receipt therefor, and shall write in proper columns on the tax rolls in his own office the word "paid." The tax payer will present his tax receipt to the recorder of mortgages, who shall cancel the mortgage recorded against the properties described upon the tax receipt free of charge if the taxpayer be not delinquent, and for all delinquents he shall be allowed ten cents and no more, to be paid by the tax payer. The tax collector shall make

Quarterly statements to be made by tax collectors of delinquents who have paid their taxes.

Auditor to furnish tax collectors with blank cash books, and duplicate of the same to parish treasurer.

Form of the blank book.

Penalty for non-compliance with the provisions of this section.

Additional duty upon State Treasurer, in keeping a book for the entry, in the order which they are made, of all settlements by tax collectors—receipt to be given by him to the tax collector.

quarterly statements of the delinquents who have paid their taxes, the amount paid and the year for which they are paid, and such statement shall be sworn to by the tax collector and sent to the Auditor of Public Accounts.

SEC. 89. *Be it further enacted, etc.,* That the Auditor shall furnish the tax collector with a blank cash book, numbered from page to page, a duplicate whereof the Auditor shall transmit to the treasurer of each parish. The pages of this book shall be ruled and divided into columns, in such form as the Auditor may direct, so that the tax collector may enter therein :

1. Name of the tax payer making payment.
2. The date of payment.
3. The year for which the taxes are paid (a separate entry for each year).
4. The amount paid in cash.
5. The amount paid in bonds, warrants, and other evidences of indebtedness.
6. Total of principal of taxes for each year paid.
7. Amount of interest paid.
8. Amount of costs paid. And in such order as the Auditor may prescribe, the enumeration herein not being intended to prescribe the order in which such columns shall be arranged.

The State taxes paid shall be first entered and afterwards a like entry of the parish taxes shall be made. The tax collector shall make such entry or entries at the time the taxpayer makes the payment of taxes. This book shall be subject to inspection of the public at all times. The parish treasurer shall transcribe the entries in said tax collector's book into the duplicate kept in his possession; he shall write in said book a certificate showing the amount entered therein, and within the first ten days of April, July, October and January of each year, transmit to the Auditor a sworn statement of the said book, which statement it shall be the duty of the Auditor to compare with the account rendered by the tax collector. In case of the failure of the tax collector to keep said book as above prescribed, he shall be, upon complaint, dismissed from office, and shall be liable to fine and imprisonment, at the discretion of the court; and any parish treasurer wilfully neglecting to transcribe, certify or transmit, as above provided, shall incur a penalty of two thousand dollars; the false swearing by the said parish treasurer to constitute the crime of perjury to be punished as directed by the criminal laws of this State.

SEC. 90. *Be it further enacted, etc.,* That the Treasurer of the State shall, in addition to his ordinary books, keep and have in his office a separate book, in which he shall and must enter in the order in which they are made, and at the time the settlements are made, the name of the settling tax collector, the date of the settlement, the aggregate amount of taxes received thereat in cash for each fund, the aggregate amount received thereat in bonds or warrants, or other evidences of indebtedness for each fund. To each collector he shall in settlement deliver a receipt in which the same details shall be set forth in like form. The book so kept shall be subject to the inspection of the public.

SEC. 91. *Be it further enacted, etc.,* That the State tax collectors, on behalf of the State and parish authorities, and municipal authorities of the various towns and city governments throughout the State, are hereby authorized and empowered to receive payment from any person other than the party in whose name the property has been assessed, of any taxes demandable by such State, parish or municipal corporations, after the date upon which such tax becomes delinquent, and to subrogate the payee of the same to all rights, liens and mortgages of the said State, parish or municipal corporations incident to or growing out of said tax, and its record in the office required by law; *provided*, that ten days' notice shall be given the tax payer by the sheriff or tax collector by mail or otherwise, and if by mail, time to be computed from date of mailing notice, and the sheriff shall be entitled to receive twenty-five cents for said notice, to be paid by party applying to be substituted in lieu of the State; *provided*, that said notice shall not be required if the property on which the taxes are due have been advertised for sale without prejudice to any privileges or mortgages of the State, parish or municipal corporations for other taxes than those that may become due in the future.

State tax collectors authorized, on behalf of the State, parish and city governments in this State, to receive payment from any person, other than the party in whose name the property is assessed, any State, parish or city taxes, after the date upon which such tax becomes delinquent, and to subrogate the payer to all the rights, etc., of the State, parish or municipal government.

Proviso.

SEC. 92. *Be it further enacted, etc.,* That the said annual taxes are levied for the following purposes and in the following proportions, to wit: First, two and seven-eighths mills on the dollar is levied for the purpose of paying the interest on the consolidated bonds of the State of Louisiana, as fixed by the Constitution in the ordinance relative to the State debt, and the ordinance amendatory thereto to pay the interest on the new issue of State bonds to be exchanged for said consolidated bonds under said ordinances; *provided*, that not more than four hundred and eighty thousand dollars (\$480,000) of the interest so collected shall be applied to the payment of the interest due on said consolidated bonds, and the surplus of said tax to be applied to the general fund. Second, one mill levee tax is levied for the purpose of maintaining and repairing levees, and shall be applied exclusively to the maintenance and repairs of levees, and shall be placed to the credit of the general engineer fund. Third, one and one-eighth mills public education tax is levied for the purpose following, to wit:

Purposes of the taxes levied under this act.

Two and seven-eighths mills on the dollar to pay the interest on the consolidated bonds of the State.

Proviso.

One mill on the dollar for the maintenance and repair of levees.

One and one-eighth mill on the dollar for educational purposes.

First, to pay the interest on the free school fund, under the first clause of Article 233 of the Constitution. Second, to pay the interest on the seminary fund, under the second clause of said article of the Constitution. Third, to pay the interest on the mechanical and agricultural college fund, under the third clause of said article of the Constitution. The remainder of said public education tax shall be applied to the establishment, maintenance and support of free public schools throughout the State, under Articles 224 to 248, both inclusive, of the Constitution.

Fourth, one mill general fund tax is levied for the following purposes, to wit:

One mill on the dollar for general fund for the following purposes:

1. To carry on and maintain the government of the State and the public institutions thereof.

1. To carry on and maintain the State government and its public institutions.

2. To suppress insurrection, repel invasion or defend the State in time of war, should either occur.

2. To suppress insurrection, repel invasion or defend the State in time of war, should either occur; and

3. To supply the citizens of this State who lost a limb or limbs in the military service of the Confederate States with artificial limbs during life.

3. To supply the citizens of the State who lost a limb or limb in the military service of the Confederate States, with substantial artificial limbs during life.

The several funds herein provided for shall be continuous funds, and the State Treasurer shall, without legislative action transfer any and all balances remaining in the treasury to the credit of the separate funds, after providing for the payment of all warrants drawn against said funds for any year to the credit of the same funds for each succeeding year; *provided*, this does not apply to the surplus arising from the interest fund in the year 1884.

The several funds herein provided for shall be continuous funds, and the State Treasurer shall, without legislative action transfer any and all balances remaining in the treasury to the credit of the separate funds, after providing for the payment of all warrants drawn against said funds for any year to the credit of the same funds for each succeeding year; *provided*, this does not apply to the surplus arising from the interest fund in the year 1884.

Interest fund excepted from this provision.

Interpretation of words used in this act.

SEC. 93. *Be it further enacted, etc.,* That the following rule for the taxation of persons and property are hereby established to-wit:

"Real estate."

1. The term "real estate" shall be held to mean and include not only land, city, town and village lots, but all things thereunto pertaining, and all structures and other things so annexed and attached thereto, as to pass to the vendee by the conveyance of the land or lot.

"Personal property" or "movable property."

2. The phrase "personal property," or "movable property," shall be held to mean and include all things other than real estate, which have any pecuniary value, and moneys, credits investment in bonds, stocks, shares in joint stock companies or otherwise.

"Money" or "moneys"

3. The term "money," or "moneys," shall be held to mean and include gold, silver and other coin, bills of exchange, bank bills or other bills or notes authorized to be circulated as money whether in possession or subject to the draft of the depositor of the person having the beneficial interest therein on demand.

"Credit."

4. The term "credit" includes every claim and demand for money, labor, merchandise and other valuable things.

5. The word "person" or "persons," "taxpayer" or "tax payers," shall be held to include firms, companies, associations and corporations; all words importing the masculine gender shall apply to females also, and all words in the plural number shall apply to single individuals in all cases in which the spirit and intent of this Act require it.

"Actual cash value" or cash valuation.

6. The words "actual cash" value or "actual cash valuation" shall be held to mean a price that any piece of real estate or personal or movable property would sell for cash in the ordinary course of business, free of all incumbrances otherwise than by forced sale.

Sale of property for taxes not to invalidate or extinguish the claim of the State, parish or municipal corporation for taxes for former years.

SEC. 94. *Be it further enacted, etc.,* That no sale of property due for taxes of the year immediately past due, shall in any manner affect, invalidate or extinguish the claim of State or any municipality or parish for the taxes due on said property for any previous year or years, either before or since the adoption of the Constitution.

SEC. 95. *Be it further enacted, etc.,* That all laws providing for the forfeiture of property for taxes, and all laws providing for the publication or recording of delinquent lists, and all those parts of all laws on the subject of the levy, assessment and collection of State taxes, heretofore enacted, which are in conflict with the Constitution of the State, or are inconsistent with, or superceded by, or contrary to, or in conflict with, the provisions of this act, be and the same are hereby repealed, and that the provisions of this act shall take effect from and after its passage.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 99.]

AN ACT

To amend and re-enact Section 1 of Act No. 89 of 1884, entitled "an act to provide for the registration of the bonds of the city of New Orleans, the manner of registry and transfer thereof, to provide for the payment of the interests thereon to the registered holder, and to fix the compensation of the secretary of the Board of Liquidation for such registering and transfer of bonds."

Due proof of the publication according to law, during thirty days heretofore, of the intention to apply for the passage of this act having been exhibited.

Whereas, due notice of the intention to apply for the passage of this act having been given, in accordance with Article 48 of the Constitution.

Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That Section 1 of Act No. 89 of 1884, be amended so as to read as follows:

Amendment of
Sec. 1 of Art. 89 of
1884.

That the city of New Orleans, acting through the Board of Liquidation of the City Debt shall upon the demand of any holder of city bonds including premium bonds, either stamp the same bond and coupons with the word "registered" and attach a certificate to each bond, showing in whose name the same is registered, or if he desires to surrender the bonds shall issue to him a certificate of registration, which said certificate shall accurately describe the number, class and letter of bond or bonds surrendered, by whom signed, the acts and authority of their original issue, the rate of interest thereon, and the maturities of their coupons.

Stamping of city
bonds, and certifi-
cate to be attach-
ed to each bond
stamped.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 100.]

AN ACT

To re-establish the beneficiary system at the Louisiana State University and Agricultural and Mechanical College, by granting to the police juries of the several parishes of the State, and to the city council of the city of New Orleans the power and authority to maintain beneficiary cadets in said institution.

Right of every parish to beneficiary cadets in Louisiana State University and Agricultural and Mechanical College, and right of city of New Orleans to seventeen beneficiary cadets.

Proviso.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That each parish, as now created or that may hereafter be created in the State, shall have the right to delegate to the Louisiana State University and Agricultural and Mechanical College one beneficiary cadet, and that the city of New Orleans shall have the right to delegate to said institution seventeen beneficiary cadets; or one from each ward of said city, said beneficiaries to remain at said institution four years unless sooner graduated or otherwise discharged; *provided,* that no beneficiary cadet shall be permitted to resign from said institution, without the consent of the board of supervisors thereof, which consent shall be given only in a case of urgent necessity, such as serious and long protracted ill health, duly declared by certificate of the surgeon of said institution, or other competent physician, to be of such nature as to render it impossible for said cadet to pursue his studies with advantage.

Police juries and city council, at a regular meeting, to elect said beneficiary cadets.

Proviso.

SEC. 2. *Be it further enacted, etc.,* That the police jury of each parish and the city council of New Orleans, respectively may, at a regular meeting, elect the number of beneficiary cadets to which said parish or city is entitled as aforesaid, of such age and qualifications as may be prescribed by the board of supervisors for admission to the college classes of said University and Agricultural and Mechanical College; and shall cause the beneficiary so selected to report in person at said institution of or before said fifth day of October; *provided,* that said beneficiary cadets shall be selected from the number of those residents of said parish or of said city, who have not themselves, nor have their parents, the means of defraying the whole of their necessary expenses of maintenance and support at said institution, which facts shall be duly certified to the president of said institution by the president of said police jury, or said city council of New Orleans, as true, to the best of his knowledge and belief.

Appropriation of \$10,710 for maintenance and board of said beneficiary cadets.

SEC. 3. *Be it further enacted, etc.,* That for the maintenance and board of said beneficiary in said institution, the sum of ten thousand seven hundred and ten dollars be and the same is hereby appropriated annually, for two years, out of any fund in the treasury not otherwise appropriated; and the Auditor of Public Accounts is hereby authorized and directed to warrant on the State Treasurer in favor of the board of supervisors of the Louisiana State University and Agricultural and Mechanical College, for the sum of twenty-one thousand four hundred and twenty dollars, one-half out of the revenues of the year 1886, and the other half out of the revenues of the year 1887, for the purpose above specified.

SEC. 4. *Be it further enacted, etc.,* That for the maintenance and board of said beneficiaries in said institution, the police juries of the several parishes and the city council of the city of New Orleans, be and are hereby authorized and empowered to appropriate out of their respective treasuries, a sufficient sum to defray the necessary expenses of said cadets as appointed under the provisions of this Act; *provided*, that the expense of no cadet shall exceed two hundred and fifty dollars (\$250) per annum; *provided further*, that under no circumstances shall any part of this sum be paid by the State.

Authority upon police juries, and city council of New Orleans, to appropriate a sufficient sum to defray the necessary expenses of said cadets.

Proviso.

SEC. 5. *Be it further enacted, etc.,* That in order to take advantage of the right granted to each parish and to the city of New Orleans, in Section 1 of this Act, each parish and said city shall make an appropriation of one hundred and fifty dollars per annum out of any money in its treasury for the maintenance and board in said institution of each beneficiary cadet delegated by said parish or said city, said sum to be paid to the treasurer of such institution before the admission of said cadet; and the power to make such appropriation is hereby granted to the police juries of the several parishes and to the city council of New Orleans.

Appropriation of \$150 to be made by police juries and city council for each beneficiary cadet, the same to be paid to the treasurer of the institution.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.
Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 101.]

AN ACT

To levy, collect and enforce payment of an annual license tax upon all persons, association of persons, or business firms and corporations, pursuing any trade, profession, vocation, calling or business, except those who are expressly excepted from such license tax by Articles 206 and 207 of the Constitution.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That there is hereby levied an annual license tax for the year A. D. 1887, and for each subsequent year, upon each person, association of persons or business firms and corporations, pursuing any trade, profession, vocation, calling or business, except those expressly exempt from such license tax by Articles 206 and 207 of the Constitution.

Annual tax from each person, association of persons, or business firms and corporations, pursuing any trade, profession, vocation, calling or business.

License tax collectible during the first two months of each year and become delinquent on 1st day of March of each year, and firms who commence business after that time shall become delinquent unless the license is paid within ten days.

Annual licenses graduated in twenty-five classes.

SEC. 2. *Be it further enacted, etc.,* That on the second day of January, A. D. 1887, and each subsequent year, each tax collector through the State, shall begin to collect and shall collect as fast as possible from each of the persons or business firms, association of persons and corporations, pursuing within his district or parish any trade, profession, vocation, calling or business a license tax as hereinafter graduated. All licenses shall be due and collectible during the first two (2) months of each year, and all unpaid licenses shall become delinquent on the first day of March of each year, and all firms who commenced business after that date shall become delinquent unless the license is paid within ten days.

SEC. 3. *Be it further enacted, etc.,* That the annual licenses for the kinds of business hereinafter named, except as afterwards provided, shall be graduated in twenty-five classes.

MANUFACTURERS.

License on manufactures, graduated as follows:

Paragraph 1. That for carrying on each business of manufacturing not expressly exempted by Articles 206 and 207 of the Constitution, the license shall be based on gross annual receipts of said business as follows, to-wit:

1st class, \$8,000.

First class—When the said receipts are ten millions of dollars or more, the license shall be eight thousand dollars, \$8000.

2d class, \$7,000.

Second class—When the said receipts are nine millions of dollars or more, and under ten millions of dollars, the license shall be seven thousand dollars, \$7000.

3d class, \$5,600.

Third class—When the said receipts are eight millions of dollars or more, and under nine millions of dollars, the license shall be five thousand six hundred dollars, \$5600.

4th class, \$4,900.

Fourth class—When the said receipts are seven millions of dollars or more, and under eight million dollars, the license shall be forty-nine hundred dollars, \$4900.

5th class, \$4,200.

Fifth class—When the said receipts are six millions of dollars or more, and under seven million dollars, the license shall be forty-two hundred dollars, \$4200.

6th class, \$3,500.

Sixth class—When the said receipts are five millions of dollars or more, and under six million dollars, the license shall be thirty-five hundred dollars, \$3500.

7th class, \$2,800.

Seventh class—When the said receipts are four millions of dollars or more, and under five million dollars, the license shall be twenty-eight hundred dollars, \$2800.

8th class, \$2,100.

Eighth class—When the said receipts are three millions of dollars or more, and under four million dollars, the license shall be twenty-one hundred dollars, \$2100.

9th class, \$1,400.

Ninth class—When the said receipts are two millions of dollars or more, and under three million dollars, the license shall be fourteen hundred dollars, \$1400.

10th class, \$700.

Tenth class—When the said receipts are one million of dollars or more, and under two million dollars, the license shall be seven hundred dollars, \$700.

11th class, \$525.

Eleventh class—When the said receipts are seven hundred and fifty thousand dollars or more, and under one million dollars, the license shall be five hundred and twenty-five dollars, \$525.

- Twelfth class—when the said receipts are five hundred thousand dollars or more, and under seven hundred and fifty thousand dollars, the license shall be three hundred and fifty dollars, \$350.
- Thirteenth class—When the said receipts are four hundred thousand dollars or more, and under five hundred thousand dollars, the license shall be two hundred and eighty dollars \$280.
- Fourteenth class—When the said receipts are three hundred thousand dollars or more, and under four hundred thousand dollars, the license shall be two hundred and ten dollars, \$210.
- Fifteenth class—When the said receipts are two hundred thousand dollars or more, and under three hundred thousand dollars, the license shall be one hundred and forty dollars, \$140.
- Sixteenth class—When the said receipts are one hundred and fifty thousand dollars or more, and under two hundred thousand dollars, the license shall be one hundred and five dollars, \$105.
- Seventeenth class—When the said receipts are one hundred thousand dollars or more, and less than one hundred and fifty thousand dollars, the license shall be seventy dollars, \$70.
- Eighteenth class—When the said receipts are ninety-five thousand dollars or more, and less than one hundred thousand dollars, the license shall be sixty-five and one-half dollars, \$65 50.
- Nineteenth class—When the said receipts are ninety thousand dollars or more, and less than ninety-five thousand dollars, the license shall be sixty-three dollars \$63.
- Twentieth class—When the said receipts are seventy-five thousand dollars or more, and under ninety thousand dollars, the license shall be fifty-two and one-half dollars, \$52 50.
- Twenty-first class—When the said receipts are fifty thousand dollars or more, and less than seventy-five thousand dollars, the license shall be thirty-five dollars, \$35.
- Twenty-second class—When the said receipts are forty thousand dollars or more, and less than fifty thousand dollars, the license shall be twenty-eight dollars, \$28.
- Twenty-third class—When said receipts are thirty thousand dollars or more, and less than forty thousand dollars, the license shall be twenty-one dollars, \$21.
- Twenty-fourth class—When said receipts are twenty-five thousand dollars or more, and less than thirty thousand dollars, the license shall be nineteen and one-half dollars, \$19 50.
- Twenty-fifth class—When said receipts are less than twenty-five thousand dollars, the license shall be fifteen dollars, \$15.
- Provided*, Nothing herein shall be construed to apply to the business of grinding meal, ginning cotton or making sugar by any farmer or planter.

12th class, \$350.
13th class, \$280.
14th class, \$210.
15th class, \$140.
16th class, \$105.
17th class, \$70.
18th class, \$65 50.
19th class, \$63.
20th class, \$52 50.
21st class, \$35.
22d class, \$28.
23d class, \$21.
24th class, \$19 50.
25th class, \$15.
Proviso.

BANKING.

Paragraph 2. *Be it further enacted, etc.* That for each business of carrying on a bank, banking company, association, corporation or agency, the license shall be based on the declared or nominal capital and surplus, whether said capital and surplus is owned, or in use, or on deposit, in this State or elsewhere, as follows, viz:

- First class—When the said declared or nominal capital and surplus is five million dollars or more, the license shall be four thousand five hundred dollars, \$4500.

License on banking graduated as follows:

2d class, \$4,000.

Second class—When the said declared or nominal capital and surplus is four millions of dollars or more, and less than five millions of dollars, the license shall be four thousand dollars, \$4000.

3d class, \$3,200.

Third class—When the said declared or nominal capital and surplus is three millions of dollars or more, and less than four millions of dollars, the license shall be three thousand two hundred dollars, \$3200.

4th class, \$2,400.

Fourth class—When the said declared or nominal capital and surplus is two millions of dollars or more, and less than three millions of dollars, the license shall be twenty-four hundred dollars, \$2400.

5th class, \$1,600.

Fifth class—When the said declared or nominal capital and surplus is one million five hundred thousand dollars or more, and less than two millions of dollars, the license shall be sixteen hundred dollars, \$1600.

6th class, \$1,200.

Sixth class—When the said declared or nominal capital and surplus is one million of dollars or more, and under one million five hundred thousand dollars, the license shall be twelve hundred dollars, \$1200.

7th class, \$800.

Seventh class—When the said declared or nominal capital and surplus is eight hundred thousand dollars or more, and under one million dollars, the license shall be eight hundred dollars, \$800.

8th class, \$600.

Eighth class—When the said declared or nominal capital and surplus is less than eight hundred thousand dollars, the license shall be six hundred dollars, \$600.

Declared and nominal capital and surplus.

The declared or nominal capital and surplus, as provided in this section, shall be ascertained and based upon the annual statement made in pursuance of existing laws to the State Treasurer.

License on private banking house, business or agency, graduated as follows:

1st class, \$500.

For each business of carrying on a private banking house, business or agency, there shall be three classes only, and the license shall be based on the total declared capital invested in said business, whether said capital is owned or in use on deposit in this State or elsewhere, as follows:

2d class, \$250.

First class—When said capital is five hundred thousand dollars or more, the license shall be five hundred dollars, \$500.

3d class, \$150.

Second class—When said capital is two hundred and fifty thousand dollars or more, and under five hundred thousand dollars, the license shall be two hundred and fifty dollars, \$250.

Third class—When said capital is one hundred and fifty thousand dollars or less, and under two hundred and fifty thousand dollars, the license shall be one hundred and fifty dollars, \$150.

License on cotton factorage, commission business, sugar factorage, grain and produce commission business, brokerage in money, stocks, bonds, real estate, produce, sugar, cotton, or other brokerage business, whether buying or selling for actual spot or future delivery:

1st class, \$1,750.

SEC. 4. *Be it further enacted, etc.,* That for carrying on the business pursuits known as cotton factorage and commission business, sugar factories, grain and produce commission houses, or any other factorage or commission business, brokerage in money, stocks, bonds, real estate, produce, sugar, cotton or other brokerage business, whether buying or selling for actual spot or future delivery, the license shall be based on the gross annual commissions and brokerage on sales and purchases.

First class—When the gross annual commissions exceed two hundred and fifty thousand dollars, the license shall be seven hundred and fifty dollars, \$750.

- Second class**—When the gross annual commissions exceed two hundred thousand dollars and not more than two hundred and fifty thousand dollars, the license shall be fifteen hundred dollars, \$1500. 2d class, \$1,500.
- Third class**—When the gross annual commissions exceed one hundred and seventy-five thousand dollars, and not more than two hundred thousand dollars, the license shall be twelve hundred and fifty dollars, \$1250. 3d class, \$1,200.
- Fourth class**—When the gross annual commissions exceed one hundred and fifty thousand dollars, and not more than one hundred and seventy-five thousand dollars, the license shall be eleven hundred and twenty-five dollars, \$1125. 4th class, \$1,125.
- Fifth class**—When the annual gross commissions exceed one hundred and twenty-five thousand dollars, and not more than one hundred and fifty thousand dollars, the license shall be one thousand dollars, \$1000. 5th class, \$1,000.
- Sixth class**—When the gross annual commissions exceed one hundred thousand dollars, and not more than one hundred and twenty-five thousand dollars, the license shall be seven hundred and fifty dollars, \$750. 6th class, \$750.
- Seventh class**—When the annual gross commissions exceed eighty thousand dollars, and not more than one hundred thousand dollars, the license shall be six hundred dollars, \$600. 7th class, \$600.
- Eighth class**—When the annual gross commissions exceed sixty-five thousand dollars, and are no more than eighty thousand dollars, the license shall be five hundred dollars, \$500. 8th class, \$500.
- Ninth class**—When the annual gross commissions exceed fifty thousand dollars, and are no more than sixty-five thousand dollars, the license shall be three hundred and seventy-five dollars, \$375. 9th class, \$350.
- Tenth class**—When the annual gross commissions exceed forty thousand dollars, and are no more than fifty thousand dollars, the license shall be three hundred dollars, \$300. 10th class, \$300.
- Eleventh class**—When the annual gross commissions exceed thirty thousand dollars, and are no more than forty thousand dollars, the license shall be two hundred and twenty-five dollars, \$225. 11th class, \$225.
- Twelfth class**—When the annual gross commissions exceed twenty-five thousand dollars, and are no more than thirty thousand dollars, the license shall be one hundred and eighty-seven dollars and fifty cents, \$187.50. 12th class, \$187 50.
- Thirteenth class**—When the annual gross commissions exceed twenty thousand dollars, and are no more than twenty-five thousand dollars, the license shall be one hundred and fifty dollars, \$150. 13th class, \$150.
- Fourteenth class**—When the annual gross commissions exceed fifteen thousand dollars, and are no more than twenty thousand dollars, the license shall be one hundred and twelve dollars and fifty cents, \$112.50. 14th class, \$112 50.
- Fifteenth class**—When the annual gross commissions exceed ten thousand dollars, and are no more than fifteen thousand dollars, the license shall be seventy-five dollars, \$75. 15th class, \$75.
- Sixteenth class**—When the annual gross commissions exceed five thousand dollars, and are no more than ten thousand dollars, the license shall be fifty dollars, \$50. 16th class, \$50.

17th class, \$25.

Seventeenth class—When the annual gross commissions are five thousand dollars or less, the license shall be twenty-five dollars, \$25.

Duties of secretaries of the several corporations liable to the above mentioned taxes, in relation to furnishing lists of members of associations liable to taxation.

The secretaries of the various cotton, stock and produce exchanges throughout the State, shall furnish the tax collectors of the district or parish in which their offices are located with a full and complete list of the names of the members of said associations, when called upon by any of said collectors. And in case of failure of the said secretary to furnish said list, it shall be the duty of said collector to compel them to furnish said list, by serving a simple rule to show cause, before any court of competent jurisdiction, and all costs of said rule shall be paid by the defendant in said proceeding.

Licenses on pawnbrokers, keepers of loan offices, whose capital is \$50,000, shall be graded as eighth class, sec. 4, and the license shall be \$500; and when the capital is less than \$50,000, it shall be graded as ninth class, sec. 4, and the license shall be \$75.

SEC. 5. *Be it further enacted, etc.,* That each and every pawnbroker or keeper of a loan office, whose capital, in actual use, is fifty thousand dollars or more, shall be graded as eighth class, section fourth, the license shall be five hundred dollars, \$500; that when the capital in actual use is less than fifty thousand dollars, shall be graded as ninth class, section fourth, the license shall be three hundred and seventy-five dollars, \$375.

License on wholesale mercantile business, whether as principal, agent on commission, by auction, representing foreign merchants, or otherwise—graduation of licenses.

Sec. 6. That for every wholesale mercantile business, whether as principal, agent on commission, by auction, representing foreign merchants, or otherwise, the license shall be based on the gross annual amount of sales, as follows:

1st class, \$3,500.

First class—When gross sales are seven millions of dollars or over, the license shall be three thousand five hundred dollars, \$3,500.

2d class, \$3,000.

Second class—When gross sales are six millions five hundred thousand dollars or more, and under seven millions of dollars, the license shall be three thousand dollars, \$3,000.

3d class, \$2,500.

Third class—When gross sales are six million dollars or more, and under six million five hundred thousand dollars, the license shall be two thousand five hundred dollars, \$2,500.

4th class, \$2,000.

Fourth class—When gross sales are five million five hundred thousand dollars or more, and under six million dollars, the license shall be two thousand dollars, \$2,000.

5th class, \$1,500.

Fifth class—When gross sales are five millions of dollars or more, and under five million five hundred thousand dollars, the license shall be fifteen hundred dollars, \$1,500.

6th class, \$1,000.

Sixth class—When gross sales are four millions of dollars or more, and under five millions of dollars, the license shall be one thousand dollars, \$1,000.

7th class, \$750.

Seventh class—When gross sales are three millions of dollars or more, and under four million dollars, the license shall be seven hundred and fifty dollars, \$750.

8th class, \$700.

Eighth class—When gross sales are two million five hundred thousand dollars or more, and under three million dollars, the license shall be seven hundred dollars, \$700.

9th class, \$550.

Ninth class—When gross sales are two millions of dollars or more, and under two million five hundred thousand dollars, the license shall be five hundred and fifty dollars, \$550.

10th class, \$400.

Tenth class—When gross sales are one million five hundred

thousand dollars or more, and under two million dollars, the license shall be four hundred dollars, \$400.

Eleventh class—When gross sales are one million dollars or more, and under one million five hundred thousand dollars, the license shall be three hundred dollars, \$300. 11th class, \$300.

Twelfth class—When gross sales are eight hundred thousand dollars or more, and under one million dollars, the license shall be two hundred and fifty dollars, \$250. 12th class, \$250.

Thirteenth class—When gross sales are six hundred thousand dollars or more, and under eight hundred thousand dollars, the license shall be two hundred dollars, \$200. 13th class, \$200.

Fourteenth class—When gross sales are five hundred thousand dollars or more, and under six hundred thousand dollars, the license shall be one hundred and fifty dollars, \$150. 14th class, \$150.

Fifteenth class—When gross sales are five hundred thousand dollars or less, and under five hundred thousand dollars, the license shall be one hundred dollars; *provided*, that no person or persons shall be deemed wholesale dealers unless he or they sell by the original or unbroken package or barrel only; *and provided, further*, that no person or persons shall be deemed wholesale dealers unless he or they sell to dealers for resale. 15th class, \$100.

If they sell in less quantities than original and unbroken packages or barrels, they shall be considered retail dealers, and pay licenses as such. That for every business of selling at retail, whether as principal, agent on commission, or otherwise, the license shall be based on the gross annual amount of sales, as follows:

License on retail dealers, whether as principal, agent on commission, or otherwise—graduation of licenses as follows, to wit:

First class—When gross sales are three millions five hundred thousand dollars or over, the license shall be thirty-five hundred dollars, \$3,500. 1st class, \$3,500.

Second class—When gross sales are three million dollars or more, and less than three million five hundred thousand dollars, the license shall be three thousand dollars, \$3,000. 2d class, \$3,000.

Third class—When gross sales are two million five hundred thousand dollars or more, and under three million dollars, the license shall be twenty-five hundred dollars, \$2,500. 3d class, \$2,500.

Fourth class—When gross sales are two millions of dollars or more, and under two million five hundred thousand dollars, the license shall be two thousand dollars, \$2,000. 4th class, \$2,000.

Fifth class—When gross sales are one million five hundred thousand dollars or more, and under two millions of dollars, the license shall be fifteen hundred dollars, \$1,500. 5th class, \$1,500.

Sixth class—When gross sales are one million dollars or more, and under one million five hundred thousand dollars, the license shall be one thousand dollars, \$1,000. 6th class, \$1,000.

Seventh class—When gross sales are seven hundred and fifty thousand dollars, and under one million dollars, the license shall be seven hundred and fifty dollars, \$750. 7th class, \$750.

Eighth class—When gross sales are seven hundred thousand dollars or more, and under seven hundred and fifty thousand dollars, the license shall be seven hundred dollars, \$700. 8th class, \$700.

Ninth class—When gross sales are six hundred thousand dollars or more, and under seven hundred thousand dollars, the license shall be five hundred and fifty dollars, \$550. 9th class, \$550.

- 10th class, \$400. Tenth class—When gross sales are four hundred thousand dollars or more, and under six hundred thousand dollars, the license shall be four hundred dollars, \$400.
- 11th class, \$300. Eleventh class—When gross sales are three hundred thousand dollars or more, and under four hundred thousand dollars, the license shall be three hundred dollars, \$300.
- 12th class, \$250. Twelfth class—When gross sales are two hundred and fifty thousand dollars or more, and under three hundred thousand dollars, the license shall be two hundred and fifty dollars, \$250.
- 13th class, \$200. Thirteenth class—When gross sales are two hundred thousand dollars or more, and under two hundred and fifty thousand dollars, the license shall be two hundred dollars, \$200.
- 14th class, \$150. Fourteenth class—When gross sales are one hundred and fifty thousand dollars or more, and under two hundred thousand dollars, the license shall be one hundred and fifty dollars, \$150.
- 15th class, \$100. Fifteenth class—When gross sales are one hundred thousand dollars or more, and under one hundred and fifty thousand dollars, the license shall be one hundred dollars, \$100.
- 16th class, \$75. Sixteenth class—When gross sales are seventy-five thousand dollars or more, and under one hundred thousand dollars, the license shall be seventy-five dollars, \$75.
- 17th class, \$50. Seventeenth class—When gross sales are fifty thousand dollars or more, and under seventy-five thousand dollars, the license shall be fifty dollars, \$50.
- 18th class, \$40. Eighteenth class—When gross sales are forty thousand dollars or more, and under fifty thousand dollars, the license shall be forty dollars, \$40.
- 19th class, \$30. Nineteenth class—When gross sales are thirty thousand dollars or more, and under forty thousand dollars, the license shall be thirty dollars, \$30.
- 20th class, \$25. Twentieth class—When gross sales are twenty-five thousand dollars or more, and under thirty thousand dollars, the license shall be twenty-five dollars, \$25.
- 21st class, \$20. Twenty-first class—When gross sales are twenty thousand dollars or more, and less than twenty-five thousand dollars, the license shall be twenty dollars, \$20.
- 22d class, \$15. Twenty-second class—When gross sales are fifteen thousand dollars or more, and less than twenty thousand dollars, the license shall be fifteen dollars, \$15.
- 23d class, \$10. Twenty-third class—When gross sales are less than fifteen thousand dollars, the license shall be ten dollars, \$10.
- Proviso. *Provided*, That if any distilled, vinous, malt or other kind of mixed liquors be sold in connection with the business of retail merchant, grocer, restaurant, oyster house, confectionery or druggist, in less quantities than five gallons, the license for such additional business shall be as hereinafter provided for in section eleven of this act; *provided, further*, that no license shall issue to sell liquors in less quantities than five gallons for less than fifty dollars, \$50.
- Proviso.

INSURING.

Insurance.

SEC. 7. *Be it further enacted, etc.*, That each and every insurance company, (society), association, corporation or other organization or firm, or individual doing and conducting an insurance business of any kind, life, fire, marine, river, accident or other

in this State, whether such company, (society), association, corporation, or other organization or firm, or individual is located or domiciled here or operating here, through a branch department, resident board, local office, firm, company, corporation or agency of any kind whatsoever, shall pay a separate and distinct license on said business for each company represented, and said licenses shall be based on the gross annual amount of premiums on all risks located within the State, and upon risks located in other States or foreign countries, upon which no license has been paid therein, as follows, to wit:

License to be based on the gross annual amount of premiums.

First class—When said premiums are three hundred thousand dollars or more, the license shall be seventeen hundred and fifty dollars, \$1,750.

1st class, \$1,750.

Second class—When said premiums are two hundred and fifty thousand dollars, and less than three hundred thousand dollars, the license shall be fifteen hundred dollars, \$1,500.

2d class, \$1,500.

Third class—When said premiums are two hundred thousand dollars, and less than two hundred and fifty thousand dollars, the license shall be twelve hundred and fifty dollars, \$1,250.

3d class, \$1,250.

Fourth class—When said premiums are one hundred and fifty thousand dollars, and less than two hundred thousand dollars, the license shall be one thousand dollars, \$1,000.

4th class, \$1,000.

Fifth class—When said premiums are one hundred thousand dollars, and less than one hundred and fifty thousand dollars, the license shall be seven hundred and fifty dollars, \$750.

5th class, \$750.

Sixth class—When said premiums are eighty thousand dollars and less than one hundred thousand dollars, the license shall be seven hundred dollars, \$700.

6th class, \$700.

Seventh class—When said premiums are seventy thousand dollars and less than eighty thousand dollars, the license shall be six hundred and fifty dollars.

7th class, \$650.

Eighth class—When said premiums are sixty thousand dollars and less than seventy thousand dollars, the license shall be six hundred dollars.

8th class, \$600.

Ninth class—When said premiums are fifty thousand dollars, and less than sixty thousand dollars, the license shall be five hundred and fifty dollars, \$550.

9th class, \$550.

Tenth class—When said premiums are forty thousand dollars, and less than fifty thousand dollars, the license shall be five hundred dollars, \$500.

10th class, \$500.

Eleventh class—When said premiums are thirty thousand dollars, and less than forty thousand dollars, the license shall be four hundred and fifty dollars, \$450.

11th class, \$450.

Twelfth class—When said premiums are twenty thousand dollars, and less than thirty thousand dollars, the license shall be four hundred dollars, \$400.

12th class, \$400.

Thirteenth class—When said premiums are ten thousand dollars, and less than twenty thousand dollars, the license shall be three hundred and fifty dollars, \$350.

13th class, \$350.

Fourteenth class—When said premiums are less than ten thousand dollars, the license shall be three hundred dollars, \$300.

14th class, \$300.

Provided, That no corporation not incorporated under the laws of the State, nor any foreign society, firm or partnership, shall do business in this State, except through an agent duly author-

Proviso.

ized and accredited for the purposes of said business, and for all purposes connected with licenses and taxation and service of process, said agent to be appointed by authentic act, and a certified copy of the act to be deposited in the office of the Secretary of State. Any person or firm who shall fill up or sign a policy or certificate of insurance on open marine or fire insurance policy, or otherwise issue by a corporation or association, or persons, not located or represented in this State by a legally authorized agent, shall be considered an agent of such corporation or person or association, and shall be liable for all licenses, taxes and penalties enforced by the provisions of this act upon such person, corporation and association, as if represented by a legally appointed agent.

Provided, That nothing herein contained shall apply to mutual aid societies, which pay mutual insurance policies by assessments upon members, whether the same be or be not domiciled in this State.

CARRYING AND STORING.

Carrying and storing.

Licenses to be based on the gross annual receipts—graduation as follows, to wit.

SEC. 8. *Be it further enacted, etc.*, That every omnibus or regular coach or herdic business, and for every business of transporting money, merchandise, or other articles, by express or transfer, of operating one or more tow-boats or tug-boats, of keeping a warehouse or storage room, the license shall be based on the gross annual receipts of said business, as follows, except railroads running outside of cities and towns. There shall be no class of this business higher than the tenth class; when said receipts are five hundred thousand dollars or more, the license shall be four hundred dollars, \$400.

11th class, \$300.

Eleventh class—When the gross annual receipts are four hundred thousand dollars or more, and less than five hundred thousand dollars, the license shall be three hundred dollars, \$300.

12th class, \$250.

Twelfth class—When the gross annual receipts are three hundred thousand dollars or more, and less than four hundred thousand dollars, the license shall be two hundred and fifty dollars, \$250.

13th class, \$200.

Thirteenth class—When the gross annual receipts are two hundred and fifty thousand dollars or more, and less than three hundred thousand dollars, the license shall be two hundred dollars, \$200.

14th class, \$150.

Fourteenth class—When the gross annual receipts are two hundred thousand dollars or more, and less than two hundred and fifty thousand dollars, the license shall be one hundred and fifty dollars, \$150.

15th class, \$100.

Fifteenth class—When the gross annual receipts are one hundred and fifty thousand dollars or more, and less than two hundred thousand dollars, the license shall be one hundred dollars, \$100.

16th class, \$75.

Sixteenth class—When the gross annual receipts are one hundred thousand dollars or more, and less than one hundred and fifty thousand dollars, the license shall be seventy-five dollars, \$75.

17th class, \$50.

Seventeenth class—When the gross annual receipts are seventy-five thousand dollars or more, and less than one hundred thousand dollars, the license shall be fifty dollars, \$50.

Eighteenth class—When the gross annual receipts are twenty-five thousand dollars or more, and less than seventy-five thousand dollars, the license shall be forty dollars, \$40.

18th class, \$40.

Nineteenth class—When the receipts are less than twenty-five thousand dollars, the license shall be thirty dollars, \$30.

19th class, \$30.

Provided, That warehouses receiving less than three hundred and fifty dollars per year shall pay no license.

Proviso.

That for every person, association of persons, business firm or corporation, doing a storage business of sugar and molasses exclusively, or either of them, the license shall be based on the gross annual receipts of said business, as follows: There shall be nine classes, viz:

Storage business of sugar and molasses exclusively—license to be based on the gross annual receipts.

First class—When the gross annual receipts are twenty thousand dollars, the license shall be one thousand dollars, \$1000.

1st class, \$1,000.

Second class—When the gross annual receipts are eighteen thousand dollars or more, and less than twenty thousand dollars, the license shall be five hundred dollars, \$500.

2d class, \$500.

Third class—When the gross annual receipts are fifteen thousand dollars or more, and less than eighteen thousand dollars, the license shall be three hundred and seventy-five dollars, \$375.

3d class, \$375.

Fourth class—When the gross annual receipts are twelve thousand five hundred dollars or more, and less than fifteen thousand dollars, the license shall be three hundred and ten dollars, \$310.

4th class, \$310.

Fifth class—When the gross annual receipts are ten thousand dollars or more, and less than twelve thousand five hundred dollars, the license shall be two hundred and fifty dollars, \$250.

5th class, \$250.

Sixth class—When the gross annual receipts are seven thousand five hundred dollars or more, and less than ten thousand dollars, the license shall be one hundred and eighty dollars, \$180.

6th class, \$180.

Seventh class—When the gross annual receipts are four thousand five hundred dollars or more, and less than seven thousand five hundred dollars, the license shall be one hundred and fifty dollars, \$150.

7th class, \$150.

Eighth class—When the gross annual receipts are three thousand dollars or more, and less than four thousand five hundred dollars, the license shall be one hundred and ten dollars, \$110.

8th class, \$110.

Ninth class—When the gross annual receipts are less than three thousand dollars, the license shall be seventy-five dollars, \$75; *provided*, That for the business of carrying on, operating, or running any horse or steam railroad, or both, for the transportation of passengers within the limits of any city or town in this State, the annual license shall be based on the annual gross receipts, as follows, viz:

9th class, \$75.

Horse or steam railroads, for transportation of passengers within limits of any city or town.

First class—When the said annual gross receipts are five hundred thousand dollars, or in excess of that amount, the license shall be twenty-five hundred dollars, \$2500.

1st class, \$2,500.

Second class—When the said annual gross receipts are over four hundred and fifty thousand dollars, and not more than five hundred thousand dollars, the license shall be twenty-two hundred and fifty dollars, \$2250.

2d class, \$2,250.

Third class—when the said annual gross receipts are over four hundred thousand dollars, and not more than four hundred and fifty thousand dollars, the license shall be two thousand dollars, \$2000.

3d class, \$2,000.

4th class, \$1,750.

Fourth class—When the said annual gross receipts are over three hundred and fifty thousand dollars, and not more than four hundred thousand dollars, the license shall be seventeen hundred and fifty dollars, \$1750.

5th class, \$1,500.

Fifth class—When the said annual gross receipts are over three hundred thousand dollars, and not more than three hundred and fifty thousand dollars, the license shall be fifteen hundred dollars, \$1500.

6th class, \$1,000.

Sixth class—When the said annual gross receipts are over two hundred thousand dollars, and not more than three hundred thousand dollars, the license shall be one thousand dollars, \$1000.

7th class, \$500.

Seventh class—When the said annual gross receipts are over one hundred thousand dollars, and not more than two hundred thousand dollars, the license shall be five hundred dollars, \$500.

8th class, \$250.

Eighth class—When the said annual gross receipts are one hundred thousand dollars or less, the license shall be two hundred and fifty dollars, \$250; *provided*, That in cities where the population is less than fifty thousand, there shall be two grades based on actual gross receipts as follows, viz :

Proviso, relative to cities with population less than 50,000, in which case there shall be two grades:

1st class, \$100.

First class—When the annual gross receipts are twenty-five thousand dollars, or in excess of that amount, the license shall be one hundred dollars, \$100.

2d class, \$50.

Second class—When the annual gross receipts are less than twenty-five thousand dollars, the license shall be fifty dollars, \$50.

MISCELLANEOUS.

MISCELLANEOUS.

Gas and electric light, waterworks, telegraphs, telephones, cotton compresses, cotton pickery, slaughterhouse, distilling and rectifying alcoholic or malt liquors, manufacturing tobacco, cigars or cigarettes, etc.

SEC. 9. *Be it further enacted, etc.*, That for carrying on each business of gas light, electric light, waterworks, telegraphing (including local and district telegraph), telephoning cotton compress or ginnery, saw mills, cotton pickery, slaughterhouse, distilling and rectifying alcoholic or malt liquors, brewing ale, beer, porter or other malt liquors manufacturing tobacco, cigars or cigarettes, refining sugar and molasses, manufacturing cotton seed oil, oil cake or cotton seed meal, the license shall be based on the gross annual receipts of each person, association of persons, business firm or corporation engaged in said business, as follows; *provided*, That this section shall not apply to planters and farmers grinding and refining their own sugar and molasses, or ginning their own cotton or that of their tenants, or manufacturing their own cotton seed into meal, cake or oil, or work by machinery for plantation or farm purposes; *provided*, That no license shall be imposed or collected on cotton gins ginning for hire not over four hundred bales of cotton per annum; *and provided, further*, That it shall not apply to those planters who granulate syrup for other planters during the rolling season.

1st class, \$3,500.

First class—When the said gross annual receipts are two million five hundred thousand dollars and over, the license shall be three thousand five hundred dollars, \$3500.

2d class, \$3,000.

Second class—When the said gross annual receipts are two million two hundred and fifty thousand dollars or more, and less than two million five hundred thousand dollars, the license shall be three thousand dollars, \$3000.

Third class—When the said gross annual receipts are two millions of dollars or more, and less than two million two hundred and fifty thousand dollars, the license shall be twenty-five hundred dollars, \$2500. 3d class, \$2,500.

Fourth class—When the said gross annual receipts are one million seven hundred and fifty thousand dollars or more, and less than two million dollars, the license shall be two thousand dollars, \$2000. 4th class, \$2,000.

Fifth class—When the said gross annual receipts are one million five hundred thousand dollars or more, and less than one million seven hundred and fifty thousand dollars, the license shall be fifteen hundred dollars, \$1500. 5th class, \$1,500.

Sixth class—When the said gross annual receipts are one million two hundred and fifty thousand dollars or more, and less than one million five hundred thousand dollars, the license shall be one thousand dollars, \$1000. 6th class, \$1,000.

Seventh class—When the said gross annual receipts are one million dollars or more, and less than one million two hundred and fifty thousand dollars, the license shall be seven hundred and fifty dollars, \$750. 7th class, \$750.

Eighth class—When the said gross annual receipts are seven hundred and fifty thousand dollars or more, and less than one million dollars, the license shall be seven hundred dollars, \$700. 8th class, \$700.

Ninth class—When the said gross annual receipts are five hundred thousand dollars or more, and less than seven hundred and fifty thousand dollars, the license shall be five hundred and fifty dollars, \$550. 9th class, \$550.

Tenth class—When the said gross annual receipts are two hundred and fifty thousand dollars or more, and less than five hundred thousand dollars, the license shall be four hundred dollars, \$400. 10th class, \$400.

Eleventh class—When said gross annual receipts are two hundred thousand dollars or more, and less than two hundred and fifty thousand dollars, the license shall be three hundred dollars, \$300. 11th class, \$300.

Twelfth class—When the said gross annual receipts are one hundred and fifty thousand dollars or more, and less than two hundred thousand dollars, the license shall be two hundred and fifty dollars, \$250. 12th class, \$250.

Thirteenth class—When the said gross annual receipts are one hundred thousand dollars or more, and less than one hundred and fifty thousand dollars, the license shall be two hundred dollars, \$200. 13th class, \$200.

Fourteenth class—When the said gross annual receipts are seventy-five thousand dollars or more, and less than one hundred thousand dollars, the license shall be one hundred and fifty dollars, \$150. 14th class, \$150.

Fifteenth class—When the said gross annual receipts are fifty thousand dollars or more, and less than seventy-five thousand dollars, the license shall be one hundred dollars, \$100. 15th class, \$100.

Sixteenth class—When the said gross annual receipts are thirty-seven thousand five hundred dollars or more, and less than fifty thousand dollars, the license shall be seventy-five dollars, \$75. 16th class, \$75.

17th class, \$50.

Seventeenth class—When the said gross annual receipts are twenty-five thousand dollars or more, and less than thirty-seven thousand five hundred dollars, the license shall be fifty dollars, \$50.

18th class, \$30.

Eighteenth class—When the said gross annual receipts are over twenty thousand dollars, and less than twenty-five thousand dollars, the license shall be thirty dollars, \$30.

19th class, \$25.

Nineteenth class—When the said gross annual receipts are over fifteen thousand dollars, and less than twenty thousand dollars, the license shall be twenty-five dollars, \$25.

20th class, \$15.

Twentieth class—When the said gross annual receipts are less than fifteen thousand dollars, the license shall be fifteen dollars, \$15.

Amusements.

Sec. 10. *Be it further enacted, etc.,* That the licenses herein provided for shall be graduated in thirteen classes, or so many thereof as shall be hereinafter indicated, as follows:

AMUSEMENTS.

Licenses on theatre, opera-house, amphitheatre, academy of music, to be based upon quantity of space devoted to spectators, as follows, viz:

That for every business of keeping a theatre, opera-house, amphitheatre, academy of music, a license shall be based upon the quantity of space devoted to spectators, to be calculated by the number of seats, or ordinary space for seats, as follows, viz:

1st class, \$400.

First class—When the number of seats or spaces are one thousand or more, the license shall be four hundred dollars, \$400.

2d class, \$300.

Second class—When the number of seats or spaces are seven hundred and fifty or more, and are less than one thousand, the license shall be three hundred dollars, \$300.

3d class, \$250.

Third class—When the number of seats or spaces are five hundred or more, and less than seven hundred and fifty, the license shall be two hundred and fifty dollars, \$250.

4th class, \$175.

Fourth class—When the said number of seats is less than five hundred, the license shall be one hundred and seventy-five dollars; *provided*, That no business of this class shall be licensed for less than one hundred and seventy-five dollars, \$175; *provided*, That in cities and towns of this State, the population of which is less than twenty-five thousand, and more than five thousand, the license shall be based on the quantity of space devoted to the spectators, to be calculated by the number of seats or ordinary spaces for seats, as follows:

Proviso.

In cities or towns where the population is 2500, or less than 5000—License, how graduated.

First class—When the number of seats or spaces exceeds five hundred, the license shall be one hundred dollars, \$100.

1st class, \$100.

Second class—When the number of seats or spaces is less than five hundred, the license shall be seventy-five dollars, \$75.

2d class, \$75.

In towns having a population of 5000 or less, license to be \$10 for each 1000 inhabitants.

In towns having a population of five thousand or less, the license shall be ten dollars for each one thousand inhabitants, to be paid by the person, corporation, association or municipality owning or controlling for rent or hire, the building or buildings in which said exhibitions are held; that for any place where cancan, clodoché, or other similar female dancing or sensation performance or statutory exhibitions are shown, or any other fixed place for either theatrical, musical, minstrel, concert, dancing or variety performance, exhibition, amusement or show, the license shall be one thousand dollars in cities with a population of more than twenty-five thousand, and in cities and towns with less population the license

In can-can or other dancing establishments, etc., license to be \$1,000 in cities with population more than 25,000, and when the population is less the license to be \$500.

shall be five hundred dollars; and nothing in this paragraph shall be construed as licensing or permitting any performance which is prohibited by other laws, ordinances or police regulations. *Provided*, That nothing in this section shall apply to any respectable and legitimate place of business already paying a license under the provisions of this act, where free concerts may be given for the entertainment of guests by regularly organized officers only; and *provided, further*, That the provisions of this act shall not apply to private or public concerts, given in duly licensed halls, or at private houses.

Prohibition.

Proviso.

Provided, That no museum, menagerie, circus or other traveling show shall be permitted to make exhibitions within the State unless they have first paid a license, based on the number of attaches, whether proprietors, performers or employes, as follows:

Museum, menagerie, circus or other traveling show, etc. the license to be based on number of attaches.

First class—When the number of said persons is one hundred or more, the license shall be five hundred dollars \$500.

1st class, \$500.

Second class—When the number of said persons is seventy-five or more, and less than one hundred, the license shall be four hundred dollars, \$400.

2d class, \$400.

Third class—When the number of said persons is fifty or more, and less than seventy-five, the license shall be three hundred dollars, \$300.

3d class, \$300.

Fourth class—When the number of said persons is thirty or more, and less than fifty, the license shall be two hundred dollars, \$200.

4th class, \$200.

Fifth class—When the number of said persons is twenty or more, and less than thirty, the license shall be two hundred dollars, \$200.

5th class, \$200.

Sixth class—When the number of said persons is ten or more, and less than twenty, the license shall be one hundred and fifty dollars, \$150.

6th class, \$150.

Seventh class—When the number of said persons is five or more and less than ten, the license shall be one hundred dollars, \$100.

7th class, \$100.

Eighth class—When the number of said persons is four, the license shall be seventy-five dollars, \$75.

8th class, \$75.

Ninth class—When the number of said persons is three, the license shall be fifty dollars, \$50.

9th class, \$50.

Tenth class—When the number of persons is two, the license shall be forty dollars, \$40.

10th class, \$40.

Eleventh class—When the number is one, the license shall be thirty dollars, \$30.

11th class, \$30.

That for every hall where balls or entertainments, not above provided for are given, the classification for license shall be as in the first part of this section; but their prices shall be only one-fourth of those provided for in section 10; *provided*, This shall not apply to balls given by private parties, or for charitable purposes.

When balls and entertainments not above provided—how classed and prices are to be charged.

That for each person carrying on the business or calling of selling or dealing in railroad or steamship tickets, whether said tickets are sold on the streets, in the office of the company he represents, or that of any other company, shall pay an annual license graded upon the number of companies he represents, to-wit: one company, twenty-five dollars, \$25; two companies, forty dollars, \$40; three or more companies, fifty dollars, \$50.

Railroad or steamship ticket sellers—license graded upon the number of companies they represent.

One company, \$25; two companies, \$40; three or more companies, \$50.

Peddlers or hawkers.

On foot, \$5.

On horseback, \$10.

One-horse vehicle, \$15.

Two-horse vehicle, \$30.

In boat, barge, or other water craft, \$100.

Proviso.

Each and every peddler or hawker shall pay an annual license graded as follows: When traveling on foot, five dollars, \$5; when traveling on horseback, ten dollars, \$10; when traveling in one-horse vehicle, fifteen dollars, \$15; when traveling in two-horse vehicle, thirty dollars, \$30; when traveling on boat, barge, or other water-craft, one hundred dollars, \$100; *provided*, no hawker or peddler whose stock does not exceed in value ten dollars, \$10, will be required to pay any license; *and provided further*, That constables or police officers throughout the State are hereby empowered and directed to cause all peddlers and hawkers to exhibit their State licenses, and if the peddlers or hawkers fail to produce or exhibit the same, the constable or police officer shall retain their stock or merchandise until said peddlers or hawkers procure their State licenses.

Sustenance and refreshments.

Hotel, boarding-house—license to be based on number of furnished lodging rooms.

1st class, \$800.

2d class, \$500.

3d class, \$375.

4th class, \$300.

5th class, \$200.

6th class, \$150.

7th class, \$100.

8th class, \$75.

9th class, \$50.

10th class, \$40.

Proviso.

Proviso.

SUSTENANCE AND REFRESHMENT.

SEC. 11. That for every business of keeping a hotel, where lodging and eating are combined, the license shall be based on the number of furnished lodging rooms for guests, as follows, viz:

First class—When said rooms are in number three hundred or more, the license shall be six hundred dollars, \$600.

Second class—When said rooms are in number two hundred and twenty-five or more, and less than three hundred, the license shall be five hundred dollars, \$500.

Third class—When said rooms are in number one hundred and fifty or more, and less than two hundred and twenty-five, the license shall be three hundred and seventy-five dollars, \$375.

Fourth class—When said rooms are in number seventy-five or more, and less than one hundred and fifty, the license shall be three hundred dollars, \$300.

Fifth class—When said rooms are in number forty-five or more, and less than seventy-five, the license shall be two hundred dollars, \$200.

Sixth class—When said rooms are in number thirty or more, and less than forty-five, the license shall be one hundred and fifty dollars, \$150.

Seventh class—When said rooms are in number fifteen or more, and less than thirty, the license shall be one hundred dollars, \$100.

Eighth class—When said rooms are in number twelve or more, and less than fifteen, the license shall be seventy-five dollars, \$75.

Ninth class—When said rooms are in number nine or more, and less than twelve, the license shall be fifty dollars, \$50.

Tenth class—When said rooms are in number six or more, and less than nine, the license shall be forty dollars, \$40.

Provided, That no person who keeps a boarding house, in connection with schools or colleges for the accommodation of students and employes thereof, shall pay any license as boarding house.

Provided, further, That no license shall be required when the number of said rooms is less than provided for in class ten; that for every business of lodging alone, the license shall be estimated on the same basis as for hotels, but graduated at one-half rates; *provided*, That boarding houses pay sixty per cent. of the rates of hotels.

That for every business of bar-room, cabaret, coffee-house, café, beer saloon, liquor exchange, drinking saloon, grog-shop, beer house, beer garden, or other place where anything to be drunk or eaten on the premises is sold directly or indirectly, the license shall be based on the annual gross receipts of said business, as follows, viz:

Bar-room, coffee-house, beer saloon, grog-shop, or other place where anything to be drunk or eaten is sold—license to be based on annual gross receipts.

That for this business there shall be one extra class:

Class A.—When said gross annual receipts are fifty thousand dollars (\$50,000) or more, for which the license shall be seven hundred and fifty dollars, \$750.

Class A. \$750.

First class.—When said gross annual receipts are thirty-seven thousand dollars (\$37,000) or more, and less than fifty thousand dollars, the license shall be five hundred dollars, \$500.

1st class, \$500.

Second class.—When said gross annual receipts are twenty-seven thousand dollars (\$25,000) or more, and less than thirty-thousand five hundred dollars, the license shall be four hundred dollars, \$400.

2d class, \$400.

Third class.—When said gross annual receipts are twenty thousand dollars (\$20,000) or more, and less than twenty-five thousand dollars, the license shall be three hundred dollars, \$300.

3d class, \$300.

Fourth class.—When said gross annual receipts are fifteen thousand dollars (\$15,000) or more, and less than twenty thousand dollars, the license shall be two hundred and fifty dollars, \$250.

4th class, \$250.

Fifth class.—When said gross annual receipts are ten thousand dollars (\$10,000) or more, and less than fifteen thousand dollars, the license shall be two hundred dollars, \$200.

5th class, \$200.

Sixth class.—When said gross annual receipts are seven thousand five hundred dollars (\$7,500) or more, or less than ten thousand dollars, the license shall be one hundred and fifty dollars, \$150.

6th class, \$150.

Seventh class.—When said gross annual receipts are five thousand dollars (\$5,000) or more, or less than seven thousand five hundred dollars, the license shall be one hundred dollars, \$100.

7th class, \$100.

Eighth class.—When said gross annual receipts are two thousand dollars or more, and less than five thousand dollars, for which the license shall be seventy-five dollars, \$75.

8th class, \$75.

Ninth class.—When said receipts are less than two thousand dollars, \$2,000, for which the license shall be fifty dollars, \$50.

9th class, \$50.

Provided, No license shall be charged for selling refreshments or charitable or religious purposes; *provided*, That no establishment selling or giving away, or otherwise disposing of any spirits, wines, alcoholic or malt liquors in less quantities than one pint shall pay less than fifty dollars, \$50; *provided, further*, That when any kind of business provided for in this section shall be combined with any business provided for in section 10, the same classification shall be made as prescribed in this section; but the price of the licenses shall be equal to the license required for each business separately.

Proviso.

No establishment selling or giving away any spirituous, vinous or malt liquors in quantities less than a pint, shall pay less than \$50.

That for the business of keeping billiard tables, pigeon hole, penny Lind, pool or bagatelle tables, and ten pin alleys, from which revenue is derived, a license of ten dollars, \$10, for each such table or alley shall be paid in addition to any other license due by the establishment in which said tables or alleys may be situated.

Billiard tables, pigeon hole, pool or bagatelle table, ten pin alleys, shall pay \$10 for each.

Persons, association of persons, or business firms, engaged in selling soda-water, mead, confectionery, cakes etc., exclusively:

1st class, \$50.

2d class, \$40.

3d class, \$30.

4th class, \$20.

5th class, \$15.

6th class, \$10.

Proviso.

Provided, That all persons, associations of persons or business firms and corporations engaged in the sale of soda water, mead, confections, cakes, etc., exclusively, shall be rated as follows:

First class—When the gross sales are ten thousand dollars or in excess of that amount, the license shall be fifty dollars, \$50.

Second class—When the gross sales are eight thousand dollars or more, and less than ten thousand dollars, the license shall be forty dollars, \$40.

Third class—When the gross sales are six thousand dollars or more, and under eight thousand dollars, the license shall be thirty dollars, \$30.

Fourth class—When the gross sales are four thousand dollars or more, and under six thousand dollars, the license shall be twenty dollars, \$20.

Fifth class—When the gross sales are three thousand dollars or more, and under four thousand dollars, the license shall be fifteen dollars, \$15.

Sixth class—When the gross sales are less than three thousand dollars, the license shall be ten dollars, \$10.

Provided, That this provision shall not apply to places doing the business herein named, where alcoholic, vinous or malt liquors are sold.

Provided, further, That druggists, etc., selling soda water, mead, etc., shall be required to take out a license under this act.

Professions and personal occupations.

PROFESSIONAL AND PERSONAL OCCUPATION.

Sec. 12. *Be it further enacted, etc.*, That the annual license for the kinds of business hereinafter named, shall be graduated in thirteen classes, as follows, viz.:

Steamboats, draying, trucking, keeping cabs, carriages, hacks or horses for hire, owners or lessees of toll bridges and ferries, master builders, stevedores and mechanics.

1st class, \$120.

2d class, \$105.

3d class, \$95.

4th class, \$80.

5th class, \$70.

6th class, \$60.

That for every individual or company carrying on the profession or business agency for steamboats, draying, trucking, keeping cabs, carriages, hacks or horses for hire, undertaker, owners or lessees of toll bridges and ferries, master builders, stevedores, and mechanics, who employ assistance, the license for said profession or occupation:

First class—When said gross annual receipts are twenty thousand dollars or more, the license shall be one hundred and twenty dollars, \$120.

Second class—When said gross annual receipts are sixteen thousand dollars or more, and less than twenty thousand dollars, the license shall be one hundred and five dollars, \$105.

Third class—When said gross annual receipts are twelve thousand dollars or more, and less than sixteen thousand dollars, the license shall be ninety-five dollars, \$95.

Fourth class—When said gross annual receipts are ten thousand dollars or more, and less than twelve thousand dollars, the license shall be eighty dollars, \$80.

Fifth class—When said gross annual receipts are eight thousand dollars or more, and less than ten thousand dollars, the license shall be seventy dollars, \$70.

Sixth class—When said gross annual receipts are six thousand dollars or more, and less than eight thousand dollars, the license shall be sixty dollars, \$60.

Seventh class—When said gross annual receipts are five thousand dollars or more, and less than six thousand dollars, the license shall be fifty dollars, \$50.

7th class, \$50

Eighth class—When said gross annual receipts are four thousand dollars or more, and less than five thousand dollars, the license shall be forty dollars, \$40.

8th class, \$40.

Ninth class—When said gross annual receipts are three thousand dollars or more, and less than four thousand dollars, the license shall be thirty dollars, \$30.

9th class, \$30.

Tenth class—When said gross annual receipts are two thousand dollars or more, and less than three thousand dollars, the license shall be twenty-five dollars, \$25.

10th class, \$25.

Eleventh class—When said gross annual receipts are one thousand dollars or more, and less than two thousand dollars, the license shall be twenty dollars, \$20.

11th class, \$20.

Twelfth class—When the said gross annual receipts are seven hundred and fifty dollars or more, and less than one thousand dollars, the license shall be fifteen dollars, \$15.

12th class, \$15.

Thirteenth class—When the said gross annual receipts are less than seven hundred and fifty dollars, the license shall be four dollars, \$4.

13th class, \$4.

That every individual or individuals carrying on the business or profession of physician, attorney at law, editor, dentist, oculist, photographer, agency for publications, freight, ricket, claims, patent rights, and all other business not therein provided for, shall be graded the same as above set forth, but the license shall be one-half of those established by this section, and provided no license shall be issued hereunder for less than five dollars, \$5.

Lawyers, doctors, editors, dentists, oculists, photographers, etc.—amount of license for each.

All traveling agents offering any species of merchandise in this State for sale, or selling the same by sample or otherwise, shall, if representing one house, firm or business, pay a license of fifty dollars per annum; and for each additional house, or firm, or business he represents, he shall pay an extra license of twenty-five dollars (\$25). If representing two houses, firms or business, he shall pay a license of seventy-five dollars (\$75) per annum. Any tax collector in this State is authorized to collect the said licenses of traveling agents; and the traveling agent must exhibit to the tax collectors of the several parishes of this State the receipts required for the payment of licenses under this act; *provided*, no parish or municipality in this State shall be allowed to levy any license on said traveling agents, and said license shall state which house or houses the agent is representing. And the several tax collectors and *ex officio* tax collectors throughout the State, shall be and are hereby authorized and empowered, on the refusal of any traveling agent to pay the license as provided for in this act, to seize, without notice, any property they may find belonging to the said traveling agent or found in his possession, and sell the same to satisfy the license, penalties and costs as herein provided.

Traveling agents.

Representing one firm, \$50.
For each additional firm, \$25.

Duty of tax collectors in reference to traveling agents.

Proviso.

Duty of tax collector when traveling agent refuses to pay the license tax.

Sec. 13. *Be it further enacted, etc.*, That any municipal or parochial corporation in the State shall have the right to impose a fair and equitable license tax on any business, occupation or profession herein provided for; *provided*, that all such license tax shall be graded.

Municipal or parochial corporation authorized to impose a fair and equitable license tax, provided such license be graded.

Separate license tax when required.

Sec. 14. *Be it further enacted, etc.,* That when any two or more kinds of business are combined, except as herein expressly provided for, there shall be a separate license required for each kind of business.

Annual receipts, capital, sales and premiums to be the basis for licenses imposed.

Sec. 15. *Be it further enacted, etc.,* That the annual receipts, capital, sales and premiums in this act, referred to as a basis of license, are those for the year for which the license is granted; the standard for their estimation shall be *prima facie* of the preceding year if the business has been conducted previously by the same parties or by parties to whom they claim to be successors.

License tax as to new firms—how based.

If the firm or company be new the amount of gross sales for the first two months shall be considered the basis, and six times that amount shall be estimated as the annual receipts of such business. *Provided,* That any person commencing business after the first of July, shall pay one-half of the above rates.

Proviso.

Basis of license to be determined by sworn statement of business done in the previous year.

Sec. 16. *Be it further enacted, etc.,* That the business of the previous year, as also the actual condition and results of business of the current year, for new firms, associations or corporations, for the purpose of calculating licenses, shall be ascertained by the tax collector in the sworn statement of the person or persons in interest, his or their duly authorized agent or officer, made before the tax collector or his deputy; *Provided,* That if the tax collector be not satisfied with the said sworn statement, he shall traverse the same by a rule, taken in proper court, as provided in the Constitution, which rule shall be tried summarily, whether an answer be thereto filed or not. On the trial of said rule, the books and written entries and memoranda of said person or persons, firms, companies, corporations, or parties, shall be brought into court and subjected to the inspection and examination of the court, the officer who took the rule, and such experts as he may employ or the court may appoint; *Provided,* That this inspection shall not be construed as entitling the defendant to introduce in evidence said books and documents any more than he would have been without such inspection; *Provided, also,* That the license shall issue in accordance with the said sworn statement, notwithstanding the prospect or pendency of the rule, and the final rectification shall be made as ordered by the court.

Duty of tax collector in relation to such statements—proceedings to be made by him—how tried—books to be brought into court—authority to employ experts.

Proviso.

Proceedings against persons doing business without a license.

Sec. 17. *Be it further enacted, etc.,* That if any business shall be conducted without a license, in cases herein provided, the officer whose duty it is to issue licenses, shall, through the attorney herein provided for, on motion in the proper courts as provided in the Constitution, and which shall be without deposit for advance cost, take a rule on the party or parties doing such business, to show cause on the fifth day, exclusive of holidays, after the service thereof, which may be tried out of term time and in chambers, and shall always be tried by preference, why said party or parties should not pay the amount of the license claimed and penalties, or be ordered to cease from further pursuits of said business until after having obtained a license; and in case said rule is made absolute, the order thereon rendered shall be considered a judgment in favor of the State, for the amount decreed to be due by the defendant for license and penalty and costs heretofore and hereinafter provided for, and shall be executed in the same manner as other

Proviso

judgments, and every violation of the order of the court shall be considered as a contempt thereof, and punished according to law.

It is hereby expressly provided that each person, association of persons, business firm or corporation, required to take out a license under this act, shall be required to post the same in a conspicuous place, in his or their place of business, under a penalty of not less than ten nor more than one hundred dollars, recoverable by the tax collector, before any court of competent jurisdiction; and it shall be the duty of the several tax collectors, throughout the State, to visit in person or by deputies, the several places of business herein mentioned, and ascertain that the provisions of this section are strictly carried out.

Penalty for not exposing license in a conspicuous place

SEC. 18. *Be it further enacted, etc.,* That the only legal evidence that a license has been paid shall be the appropriate form of license issued by the Auditor of Public Accounts, and no receipts issued by a tax collector in place of the license itself shall be valid, and this clause shall be construed to prevent the tax collector from issuing a receipt, in lieu of the appropriate form, to any person, association of persons, or business corporations; *Provided*, That nothing herein contained shall be so construed as to exclude oral evidence of lost or destroyed licenses.

What constitutes a license—by whom issued—in no case shall the collector give a receipt in lieu of a license.

SEC. 19. *Be it further enacted, etc.,* That the ex-officio tax collectors and tax collectors throughout the State, the parish of Orleans included, shall prepare and keep a book in which they shall record or file the statements made under oath of all persons, associations of persons, business firms or corporations, who may apply for license to pursue any trade, profession, vocation, calling or business under this act.

Record book of sworn statements to be kept by the collector.

SEC. 20. *Be it further enacted, etc.,* That the tax collectors and ex-officio tax collectors charged with the collection of taxes, are hereby empowered and required to administer oath to any person, president or proper officer, or agent of any association of persons, business firms or corporations, applying for license under this act; and any tax collector or ex-officio tax collector, as aforesaid, or any notary public or other officer of the State empowered to administer oaths, who shall sign any jurat or certify to the correctness of any oath without administering the said oath in person to the applicant, shall be deemed guilty of a misdemeanor, and on conviction be dealt with in accordance with existing laws relative to the dismissal from office of such several officers, and in addition to which they shall be subject to a fine of not less than one hundred dollars nor more than one thousand dollars. That when the oath is taken before the collector no charge shall be made for the same. Any false swearing as to the gross receipts of any person or persons, or corporations, through their president or proper officer, or agent applying for license, shall constitute the crime of perjury, to be punished as directed by the existing criminal laws of the State.

Tax collectors empowered to administer oaths.

Penalty for signing any jurat or certifying to the correctness of an oath in certain cases.

No charge to be made for administering the oath.

False swearing as to the gross receipts deemed perjury, to be punished as such

SEC. 21. *Be it further enacted, etc.,* That the tax collectors and ex-officio tax collectors are hereby required to keep a license register, in which they shall enter the names of every person,

Tax collectors to keep a license register.

Transcript of license register to be furnished to Auditor by the tax collectors.

Auditor's duty in relation thereto.

Penalty for tax collector violating any provisions of this act, and for issuing insufficient licenses.

Governor to appoint an attorney to aid and assist the tax collector in collecting licenses and penalties.

Commissions of said attorneys and their term of office.

Duties of tax collector and attorney in relation to delinquent licenses.

Commission of attorney in Orleans parish.

Responsibility of tax collector failing to enforce the procuring and rectifying of licenses by persons required to have them.

association of persons, business firms or corporations, with the trade, profession, vocation, calling or business pursued, the class and graduation of the same, the amount of license thereon, and the date of the collection or payment thereof. On the 31st day of December of each and every year the said tax collectors shall make out and forward to the Auditor of Public Accounts a full and complete transcript of said license register, a copy of which transcript the Auditor of Public Accounts shall lay before the General Assembly at its regular session of each year, and shall file the same in his office for his future reference or use.

SEC. 22. *Be it further enacted, etc.,* That the tax collector and *ex-officio* tax collector violating any of the provisions of this act, or who shall wilfully rate any person, association of persons, or business firms and corporations, at a less graduation than the law contemplates, or who shall issue to any of said persons, association of persons or business firms and corporations, a license for a less sum than that corresponding with their graduation, shall be deemed guilty of a misdemeanor in office, and shall, on conviction before a court of competent authority, be summarily dismissed therefrom.

SEC. 23. *Be it further enacted, etc.,* That the Governor of the State, immediately after the promulgation of this act, shall designate for each parish an attorney at law, whose duty it shall be to aid the tax collector or tax collectors in the parish for which he is appointed in the collection of the licenses provided for by this act; and upon all licenses and penalties collected through the agency of said attorney, the delinquent owing the license shall pay a commission to him of ten per centum, calculating same upon the aggregate amount of license and penalties so collected and paid over to the tax collector. The said attorney shall receive no other compensation. The attorney so appointed shall serve only during good behavior, and shall be liable to be summarily removed by the Governor for good and sufficient cause.

On the first day of March of each year the tax collector shall deliver to the attorneys herein provided for, a complete list of all the delinquent license payers, together with their location and kind of business, and the attorney shall immediately proceed to collect same, in accordance with this act; and if not collected within thirty days from date of delivery of list by the collectors of taxes, it shall be the duty of said attorneys to render a written report giving reason for non-collection to the collectors, whose duty it shall be to forward such report to the Auditor of Public Accounts.

Provided, That in the parish of Orleans, the said attorney shall receive a commission of ten per centum upon the aggregate amount of license and penalties so collected and paid over to the tax collector, and no more.

SEC. 24. *Be it further enacted, etc.,* That if any tax collector or officer, whose business it is to issue State licenses, shall through incompetency, negligence or fault on his part, fail to enforce the procuring and rectifying thereof by persons required to have them, he shall be responsible on his bond for all damages to the State arising therefrom.

SEC. 25. *Be it further enacted, etc.,* That all unpaid licenses shall bear interest, at the rate of two per cent. per month, from the first day of March, and the payment thereof shall be secured by first privilege in favor of the State and the tax collector shall collect said license and interest in the manner provided by existing laws.

Unpaid license to bear two per cent from March 1.

SEC. 26. *Be it further enacted, etc.,* That the tax collectors shall be allowed a commission of three per cent. in the upper district and four per cent. in the lower district, parish of Orleans, and in the other parishes of the State five per cent. upon all licenses collected and paid into the State Treasury.

Compensation to tax collectors.

SEC. 27. *Be it further enacted, etc.,* That all gross receipts, derived from any mercantile business or occupation whatsoever, as hereinafter provided, whether earned within or without the State, shall form the proper basis upon which all licenses shall be assessed and collected by the tax collectors.

Gross receipts to be the basis upon which licenses shall be assessed and collected.

SEC. 28. *Be it further enacted, etc.,* That a person, firm or company, having more than one place of business, shall pay a separate license for each place of business.

Separate license for each place of business required.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 102.]

AN ACT

To amend and re-enact Sections 2 and 4, of Act No. 40 of 1876.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That section two, of Act No. 40 of 1876, be amended and re-enacted so as to read as follows:

The direction and management of the Shreveport Charity Hospital shall be vested in a board of directors, to be composed of seven persons, citizens and residents of the city of Shreveport, or the parish of Caddo, to be appointed by the Governor of this State, and the said board shall elect its president annually.

Board of management of the Shreveport Charity Hospital, how composed and appointed.

SEC. 2. *Be it further enacted, etc.,* That section four of said Act No. 40 of 1876, be amended and re-enacted so as to read as follows:

Said board shall appoint a treasurer (who shall not be a member of the board), who shall also be secretary of the board and to be continued in office at their own will and pleasure, who shall, before he enters upon the duties of his office, give bond and security in the sum of five thousand dollars, to be approved by the board, conditioned for the faithful performance of the duties of his office and disbursement of the funds which shall come into his hands. It shall be the duty of the treasurer to

Powers of said Board to elect certain officers; duties of said officers.

receive funds due to the said hospital, to keep a correct and detailed statement of the same, and to make all payments therefrom, when approved by the board upon the warrant of the president of the board. The treasurer shall submit at each and every monthly meeting of the board, the books, accounts and papers of his office, which shall, at all times, be opened to the inspection of the board. The treasurer shall also keep a register containing the name and surname of each and every patient that shall have been admitted into the Charity Hospital, his age, place of birth, and his descriptive list, the day of his discharge or of his death, in order to prove his identity, a copy of which descriptive list shall be annexed to the biennial report of the board to the General Assembly, and also a statement exhibiting the nature of the disease attended to at said hospital during the preceding two years; the number of patients admitted in the course of the two preceding years, the number of persons dead, cured or discharged from the hospital for any other cause, the number of them born therein, and the number remaining in the hospital at the end of said preceding two years.

Repealing clause.

SEC. 3. *Be it further enacted, etc.,* That all laws or parts of laws in conflict with this act, are hereby repealed, and the provisions of this act shall take effect from and after its passage and promulgation.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.
Approved July 8, 1886. S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 103.]

AN ACT

To create a special levee district within certain limits prescribed in this act; to empower said corporation to levy contributions and to issue bonds, and to provide for the payment thereof, and under certain contingencies to require under penalty the performance of labor by certain persons on said levee; to enforce the collection of said contributions, and for other purposes.

Preamble.

Whereas, Due and timely notice of the intention to apply for the passage of this act has been given, and evidence of the publication of said notice exhibited to the General Assembly, as required by Article 48 of the Constitution.

Limits and boundaries of the levee district known as the Atchafalaya and Bayou de Glaise Special Levee District.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the limits and boundaries of the levee district created by this act shall be as follows, to-wit: That portion of the Fourth Levee District lying south of Red river and west of the Atchafalaya in the parish of Avoyelles, also that part of St. Landry parish lying east and north of Bayou Boeuf and Courtableaux.

SEC. 2. *Be it further enacted, etc.,* That the said district shall be known by the name of Atchafalaya and Bayou DeGlaize Special Levee District.

SEC. 3. *Be it further enacted, etc.,* That there shall be elected on the first Monday of October, 1888, and every two years thereafter, by the land owners of said district, seven commissioners, who shall be styled and constitute a board of levee commissioners, who shall hold office for two years or until their successors are elected; and until the first election is held the following named persons, to wit: Anatole Coco, W. Burton, Leroy Harvard, E. J. Norwood, E. W. Sylvester, Eugene Gauthier, Modelis Kabbalais, shall act as commissioners, vested with all the powers delegated to the elected commissioners by this act.

Board of levee commissioners, when and how elected, and term of office

SEC. 4. *Be it further enacted, etc.,* That the board of levee commissioners shall have the right to sue and be sued, and compromise any matter pertaining to the district, and shall have a common seal; and certified copies of all their proceedings or resolutions and certificate of the secretary, shall be evidence in all the courts; they shall have power to purchase and own property purchased at the sales made for the collection of contributions due them. The domicile of the company shall be at Simmsport, in the parish of Avoyelles.

Powers and rights of the board.

SEC. 5. *Be it further enacted, etc.,* That the Board of Commissioners shall give thirty days public notice of all elections ordered by them; to establish precincts, and provide boxes for them; to appoint three commissioners, for each precinct, whose duty it shall be to hold the election of commissioners; to permit all qualified persons to vote, and keep a registry of said voters; to count the votes cast and make due return to the Board of Commissioners.

Manner of holding elections for the members of the board of levee commissioners and for making returns thereof.

SEC. 6. *Be it further enacted, etc.,* That it shall be the duty of the president of the board, after the returns have been canvassed, to issue commissions to the persons who have received a majority of the votes cast, whose term of office shall commence on the first Monday of January succeeding the election.

Duty of the president of the board to commission the members elected.

SEC. 7. *Be it further enacted, etc.,* That the "Board of Levee Commissioners" shall be the judges of the election of its members, and shall have power to prescribe all rules and regulations necessary for determining same, reserving to contestants the right of appeal to the courts; they shall have the power to appoint their president, secretary, treasurer and inspector of levees and collector of contributions, and all other officers which they may deem necessary; to fix the terms of their office, and the causes for which they may be removed, and to define their powers and duties, and to do all further acts which may be necessary to carry into effect the provisions of this law. They shall have the power to locate all new levees, to establish their dimensions, to make contracts for the building of same; to make repairs on levees, to divide the district into sections, and to appoint inspectors over the same, to prescribe their duties, and to exact penalties for the neglect thereof. They shall be authorized to receive in payment for contributions due them, any indebtedness of said board arising from the making or repairing of levees, and to make such rules and regulations as will facilitate the collection of said contributions.

Powers and duties of the board of levee commissioners.

Further power
and authority of the
board.

SEC. 8. *Be it further enacted, etc.,* That the board of commissioners shall have the power, and are hereby authorized, to borrow from time to time such sums of money as may be required, not exceeding the sum of fifty thousand dollars, for construction and repair of levees, dykes and dams, and for this purpose may issue bonds or other obligations to such extent, secured by mortgage upon all the property, real and personal, of said corporation and its incomes, receipts, contributions and other effects, in possession or action. and by such sinking funds and other safeguards as may be deemed expedient; said obligations to be payable on such terms and at such times and places as the board of commissioners may deem proper and may fix therein, with right to the holder of said bonds to foreclose, in case of default, in any proper court, and to the purchaser under foreclosure to succeed to all the rights of property, incomes and contributions sold under such foreclosures. And it shall be the duty of said company to provide in each year for the interest on said bonds, and a sinking fund for the principal, so that the same may be promptly paid on maturity; and to set apart for this purpose sufficient of the contributions authorized to be collected under this act; and in addition to the rights hereinbefore conferred on the holders of said bonds, they or any of them respectively shall have the right to enforce by mandamus or other proper remedy the estimation and collection of such contributions, the payment of such interest and principal, and the establishment and maintenance, and application of such sinking fund; *provided*, that no owner of lands shall be held liable for any greater amount than the contribution levied against his own land under the provisions of this act.

Board to make an
estimate of their
expenses, and prob-
able cost of levee
work to be done and
to levy contribu-
tions for certain
purposes.

SEC. 9. *Be it further enacted, etc.,* That it shall be the duty of the board on or before the first day of August, in each year, to proceed to make an estimate of their expenses, and of the probable cost of the levee work to be done; and having made such estimates, they shall levy a contribution upon all the lands protected by said levee, not to exceed twenty-five cents an acre for cleared and ten cents for wood land, which money shall be appropriated by them for the purpose of paying the interest and principal of their bonded debt, and for building and repairing their levees.

Board to make an
assessment roll of
all lands in the dis-
trict subject to con-
tribution.

SEC. 10. *Be it further enacted, etc.,* That the aforesaid board shall have an assessment roll of all the lands in the district, subject to contributions, made each year, specifying the number of acres of cleared and of wood land in each tract, which roll shall be exposed for 30 days at the office of the company for inspection and correction, and due notice whereof shall be given by advertisement for thirty days in a newspaper published in the parish.

Duties of the col-
lector in relation to
filing the roll and to
the collection of
said contributions.

SEC. 11. *Be it further enacted, etc.,* That it shall be the duty of the collector at the expiration of the thirty days above required, to file a copy of the corrected roll in the recorder's office, which filing shall operate as a lien and mortgage on the property of each contributor, until said contribution shall be paid. He shall then proceed on or before the first Monday of October to the collection of said contributions, by serving on each party or his legal representative, in the district, a bill for

contributions, and in case the party and his representative reside out of the district, the said service shall be made by registered letter.

SEC. 12. *Be it further enacted, etc.,* That if any person or corporation shall refuse or neglect to pay his contribution, on or before the thirty-first day of December, the collector shall serve notice on him in writing, to come forward and do so within ten days or he will proceed to seize, advertise and sell sufficient property to liquidate the amount due, and in case of further delinquency, the collector shall, without any further formalities, proceed to advertise and sell in the manner and form provided by law for the collection of State and parish taxes; and the delinquent shall be liable for all costs, penalties and interests that are imposed in similar cases for delinquents of State and parish taxes.

Penalty for any person or company failing or refusing to pay his contribution.

SEC. 13. *Be it further enacted, etc.,* That the collector, before entering on the discharge of his duties, shall give bond with two good securities in such sums as may be determined upon by the board, the said bond to be made payable to and approved by the board of levee commissioners.

Collector to give bond to be approved by the board.

SEC. 14. *Be it further enacted, etc.,* That the inspectors, each of his own section, shall have full authority, during periods of extreme high water, to call out all males between the ages of 18 and 50, and to put them to work under his direction, on the levee; and in case of the refusal of any one of them to comply with the said order without valid excuse, he shall pay a fine of ten dollars a day, for every day he may so refuse, which amount shall be collected by suit before the nearest justice of the peace; and in default of the payment whereof, shall be imprisoned not more than five days in the parish jail; and said fines shall be paid into the treasury of the levee company.

Powers of inspectors defined.

SEC. 15. *Be it further enacted, etc.,* That in case of any crevasse occurring of such magnitude that the hands of the section in which it happens shall be unable to close it, it shall be the duty of the inspector to call on the commissioners or any one of them, who shall order the inspectors of the adjoining sections to proceed with sufficient force to aid in closing same.

Duty of inspectors in case of crevasse.

SEC. 16. *Be it further enacted, etc.,* That whenever it shall be necessary to call out the hands in accordance with the preceding sections, it shall be the duty of the inspector to keep their time, which shall be by him estimated and fixed, and give each one a certificate of the same, and the Board of Commissioners, after approving the same, shall issue warrants on the treasurer for the amount due each one, said warrants shall also be receivable in payment of any contributions due to the company.

Inspectors to keep time of hands called out, and issue them a certificate for same.

SEC. 17. *Be it further enacted, etc.,* That all sums collected for levee purposes by the State of Louisiana, and by the Fourth Levee District, upon property situated within the limits of the parish of Avoyelles and St. Landry, shall be reported as a special fund, and shall be paid over to this company for the use of its levees, on the warrant of its president, countersigned by its secretary in favor of its treasurer; *Provided,* That this section shall not apply to or include any levee tax collected or collectible for the year 1886.

Board of commissioners to approve certificates and issue warrants for same good for payment of any contribution.

Creating a special fund for said levee district. Mode and manner of drawing the same. *Proviso.*

Five commissioners to constitute a quorum.

SEC. 18. *Be it further enacted, etc.,* That five commissioners shall constitute a quorum for the purpose of transacting the business of said district.

Powers of board of commissioners to sell certain public lands accruing to said levee district.

SEC. 19. *Be it further enacted, etc.,* That all public State lands donated by Congress for levee and drainage purposes, situated within said levee district, shall by this act accrue to said levee district, and the commissioners are hereby vested with power to sell the same to the highest bidder at public outcry at Simmsport, after a notice of thirty days in a paper published in or nearest said levee district, and to devote the net proceeds of the sale to the benefit of said levee district.

Police juries of Avoyelles and St. Landry authorized to hold election for the adoption or rejection of the proposed levee district. Manner and time of holding the same.

SEC. 20. *Be it further enacted, etc.,* That this act shall be submitted to a vote of the property tax payers residing within the limits of the proposed levee district. That the police juries of the parishes of Avoyelles and St. Landry are hereby authorized to hold said election on the first Monday of October, 1886, in that part of the aforesaid parishes lying within the limits of said district, and held under the present laws governing elections. If a majority of votes cast at said election shall be in favor of the proposed levee district, the result shall be promulgated within ten days, making this act operative and in full force; *provided*, that this act shall have no effect in either parish unless a majority of the votes therein shall be cast in favor of the same, but if one parish vote for and the other against, the district shall be composed of the parish voting for; and in that event the commissioners named for either of said parishes shall constitute the board as herein provided.

Proviso.

Time and place of meeting of the Board of commissioners.

SEC. 21. *Be it further enacted, etc.,* That on the first Monday of November, 1886, the commissioners of the said levee district shall meet at Simmsport and proceed to organize for the purposes of carrying into effect the purpose of this act, and thereafter meet at such time as they may deem advisable.

SEC. 22. *Be it further enacted, etc.,* That all laws and parts of laws in conflict, inconsistent or contrary to the provisions of this act, be and the same are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 104.]

AN ACT

Removing the parish seat of the parish of Avoyelles, from Marks-ville to a point on the right descending bank of Bayou Rouge or Bayou des Glaises, within a distance of not more than one mile above or below the junction of said Bayou Rouge and Bayou des Glaises, at a spot to be designated by the police jury, and providing for the submission of this act

to the electors thereof, at a special election, pursuant to the provisions of Article 250 of the State Constitution.

Whereas, Due proof has been made that the notice of intention to apply for the passage of this act, has been published, pursuant to the requirements of article 48 of the State Constitution.

Preamble

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the parish seat of the parish of Avoyelles, be and is hereby removed from Marksville, and it is now and hereby established permanently on the right descending bank of Bayou Rouge or Bayou des Glaises, within a distance of not more than one mile above or below the junction of said Bayou Rouge and Bayou des Glaises, at a place to be designated by the police jury.

Removal of the parish seat of the parish of Avoyelles from the town of Marksville to a point on Bayou Rouge and Bayou des Glaises.

SEC. 2. *Be it further enacted, etc.*, That the police jury of said parish of Avoyelles be, and it is hereby empowered and authorized and directed, to pass ordinances and to make all and every provision, that may be necessary for carrying out the provisions of this act, within thirty days after the promulgation of the adoption of this act.

Police jury to provide, by ordinance, for carrying out the objects of this act.

SEC. 3. *Be it further enacted, etc.*, That this act shall take effect and be of force immediately after the promulgation of the result of the special election hereinafter provided for, at which it will be submitted for adoption or rejection to the electors of said parish, pursuant to article 250 of the State Constitution; *Provided*, The majority of votes cast at such election be in favor of its adoption.

This act to take effect after the promulgation of the result of the special election held "for adoption" or "rejection" by the electors of said parish.

SEC. 4. *Be it further enacted, etc.*, That the police jury of the parish of Avoyelles be and it is hereby authorized and required to order the holding of a special election, on the same day of the Congressional election in November next, at which this act shall be submitted for adoption or rejection to the electors of said parish, pursuant to Article 250 of the State Constitution, each elector voting at said election shall cast his vote thereat by using a ticket on which shall be written or printed the words "for the adoption of the act of the General Assembly removing the parish seat from Marksville to a point on the right descending bank of Bayou Rouge or des Glaises, within a distance of not more than one mile above or below the junction of said Bayou Rouge and des Glaises," or "against the adoption of the act of the General Assembly removing the parish seat from Marksville to a point on the right descending bank of Bayou Rouge or Bayou des Glaises within a distance of not more than one mile above or below the junction of said Bayou Rouge and des Glaises," said election shall be held and conducted pursuant to the provisions of the general election laws of the State, and the result shall be promulgated ten days after election in the manner provided by said laws; *and provided, further*, That at the same time, the police jury shall order an election to determine, whether or not, the property tax payers are willing to be taxed to defray the expense of said removal, and separate tickets shall be provided, upon which shall be written: "For special tax to be levied by police jury to defray costs of removal," or "against special tax, to be levied by police jury, for

Police jury to order the election to be held on the same day as for the election of member of Congress in November next, at which time this act shall be submitted for adoption or rejection. Form of ticket to be voted at said election. Election to be held according to existing laws.

Police jury to order at the same time an election to determine whether or not property taxpayers are willing to be taxed to defray the expenses of said removal. Form of ticket to be voted for and to be deposited in a separate box. Result of said election being opposed to the tax, this act to be null and of no effect.

removal," said tickets to be deposited in a separate box, to be provided for this purpose. And in the event there be a majority of votes against said special tax, then this act to be of no effect, whatsoever may be the vote cast on the question of removal.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

No. 105.]

AN ACT

For the better protection of buildings and property belonging to the State, situated in Baton Rouge.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the Governor be authorized by this act to contract with the fire department of the city of Baton Rouge, from and after the first day of July, 1887, for the special protection against fire of all the buildings belonging to or occupied by the State, and their contents, being situated in said city, for such annual sum, not exceeding twenty-five hundred dollars, as he may deem proper and necessary.

Governor authorized to contract with the Fire Department at Baton Rouge for the special protection against fire of all buildings belonging to or occupied by the State, and situated in said city, for a sum not to exceed \$2,500.

Proviso.

Provided, That such sum be expended by said fire department for the purpose of making the same more efficient and better able to protect the property of the State, reference being had to the report of said fire department, dated June 10, 1886, and on file in the Executive department.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,

Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

To encourage, protect, regulate and develop the oyster industry in the State of Louisiana, and imposing penalties for the violation of the provisions of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That all the beds of the rivers, bayous, creeks, lakes, coves, inlets and sea marshes bordering on the Gulf of Mexico, and all that part of the Gulf of Mexico within the jurisdiction of this State, and not heretofore sold or conveyed by special grants or by sale by this State, or by the United States to any private party or parties, shall continue and remain the property of the State of Louisiana, and may be used as a common by all the people of the State for the purposes of fishing and of taking and catching oysters and other shell fish, subject to the reservations and restrictions hereinafter imposed, and no grant or sale, or conveyance shall hereafter be made by the Register of the State Land office to any estate, or interest of the State in any natural oyster bed or shoal, whether the said bed or shoal shall ebb bare or not.

Beds of rivers, creeks, bayous, lakes, coves, inlets, and sea marshes and all that part of the Gulf of Mexico and within the jurisdiction of this State and not heretofore conveyed to other persons to be and remain the property of the State, to be made natural oyster beds or shoals.

SEC. 2. *Be it further enacted, etc.,* That if any river, bay, lake, bayou, cove, inlet, or pass, makes into or runs through the land of any person, and is comprised within the limits of his lawful survey, such person or other lawful occupant shall have exclusive right to use said body or bodies of water for planting oysters and other shell fish, but the right of the owners or occupants of land on any of the other shores, bays, rivers or bayous, within the jurisdiction of the State, shall extend to ordinary low water mark, but it is not intended thereby to deprive them of the privilege extended to others by the first section of this act.

Where river, bay, lake, bayou, cove, inlet or pass make into or runs through the land of any person, and be comprised within the limits of his lawful survey, the owner thereof shall have the exclusive right to bed or plant oysters.

SEC. 3. *Be it further enacted, etc.,* That all capital invested, and things of value employed in the oyster industry in this State, shall be assessed, and the tax on the same shall be collected in the manner now provided by law by other property, and it shall be the duty of the parish assessor, where he assesses the other property of his parish, to require all persons depositing or planting oysters or shells, to state, upon oath, the cash value of all such oysters or shells deposited or planted during the preceding year ending on the first day of February, or remaining in their possession from the planting of former years, which amount shall be entered by the said assessor in his lists, in a separate column, and the person thus depositing or planting such oysters or shells, shall pay a tax upon their assessed value equal to the tax imposed upon other species of property, and the said tax shall be collected by the collector of the parish, as now provided by law, and any person failing to comply with the provisions of this section shall be fined in a sum not less than ten nor more than five hundred dollars, and the revenue due the State therefrom shall be paid into the State treasury to the credit of a separate fund to be known as the "oyster fund" and the revenue due the parish therefrom shall be paid into the parish treasury of the parish, where said tax is collected to the credit of the school fund of such parish.

Assessment of capital invested and things of value employed in the oyster industry, and taxes collected. Duties of the assessor in assessing such property. Duties of the tax collector in collecting such taxes. Penalties for failing to comply with the requirements of said section.

Police jury to provide by ordinance to carry out the provisions of this act.

SEC. 4. *Be it further enacted, etc.,* That the police jury of any parish, in which natural oyster beds are formed and in which there are water beds and water ways suitable for oyster planting and cultivation, are hereby empowered to make all needful rules and regulations, and pass all ordinances, not otherwise provided for in this act, necessary to carry into effect the provisions of this act in their respective parishes.

Application to be made by the owner or occupant of land having a water front thereon, to the police jury of the parish in which the land is situated. Duty of the police jury in relation to the same.

SEC. 5. *Be it further enacted, etc.,* That if any owner or occupier of land having a water front thereon, not owned by him, suitable for planting oysters, shall be desirous of obtaining a location thereon for planting oysters, he may make application to the police jury of the parish in which his said land is situated, and said police jury shall order the parish surveyor of said parish to assign to him, on such location as such owner or occupant may designate in front of his land, a quantity sufficient for said purpose, to be judged of by the said parish surveyor, subject to appeal to any court of competent jurisdiction in said parish, either in term time or vacation, which court is hereby authorized to take cognizance of the same and make such assignment as shall seem proper; *provided*, that the said assignment shall not exceed three acres; *and provided further*, that the privilege thus accorded to the riparian owner may at any time be revoked at the pleasure of the General Assembly, said revocation to take effect two years from the date of revocation. It shall be the duty of such owner or occupant to cause the same to be marked with suitable stakes, according to the assignment, and thereafter he shall have the exclusive right to the use thereof for the purpose aforesaid, and this privilege is accorded to said owner or occupant in consideration of the extra valuation, ordinarily assessed upon such land for the water privileges supposed to be attached thereto; *provided, however*, that the surveyor making the assignment of the reservation shall be paid by such owner or occupant a fee of five dollars, and if such owner or occupant shall sell any oysters from said reservation, he shall also pay an annual rent to the State of twenty-five cents per acre, and the like amount to the parish; said rents to be collected by the tax collector, and to be by him paid over, as provided for by section three of this act. If any portion of said water front herein reserved or provided for said riparian owner or occupiers of said land shall be occupied by others, with oysters actually planted thereon at the time a location is made of such reservation, the person so occupying the same shall have two years to remove said oysters so planted thereon; the balance of said water front or fronts in excess of that, is herein reserved for the riparian owner if not already owned by him by purchase from the State; the residue of the beds, of the bays, rivers, creeks and bayous, other than natural oyster beds, may be occupied by any person or persons for the purpose of planting oysters for the propagation of oysters thereon, and it shall be the duty of any such person desiring to obtain a location for planting or propagating oysters on any portion of the water fronts and beds aforesaid not located or reserved, as hereinbefore provided for owners and occupiers of lands as aforesaid, to apply to a resident parish surveyor to have his location ascertained and designated, and the same shall be marked with suitable

Duties of the surveyor in making the assignment of the reservation.

Limit of time fixed for persons occupying lands not owned by them to remove the oysters therefrom.

takes or by other meter and bounds agreed upon between the applicant and surveyor, and he shall pay the surveyor for his services a fee of five dollars, and also an annual rental of twenty-five cents each for State and parish, for each and every acre assigned him; said rents to be collected and paid over as hereinbefore provided; said rents shall be payable on the first day of October, annually; and he shall thereafter have the exclusive right to the use of such location, so designated for the purpose aforesaid so long as he complies with the provisions of the law requiring the payment of the aforesaid annual rental, subject, however, to the right of revocation by the General Assembly. If any portion of said water fronts, or beds, or bays, or rivers, and bayous is occupied with oysters actually planted thereon at the time the location is made or sought to be made under this section, the occupier shall have the prior right against all others to have the said lands so occupied by him assigned to him by the said surveyor, provided said occupier shall have the land, so occupied by him, ascertained and designated within sixty days from the time that the said surveyor is called on to locate said land.

Duties of persons desiring to obtain a location for planting or propagating oysters thereon.

Rights of occupants of lands with water front on which oysters are planted or bedded.

SEC. 6. *Be it further enacted, etc.,* That any person, being a resident of this State, who shall be desirous of catching or taking oysters with ordinary oyster tongs or otherwise, for sale, shall apply to the tax collector of said parish, or one of his deputies for the parish in which he resides, for registration. He shall furnish said officer or his deputy, on oath, his name, place of residence, parish, and the waters in which he designs to oyster, the kind of boat, vessel or craft to be used or employed by him; thereupon the said officer shall register him and prescribe for his boat a number corresponding with the number of applicants registered, which number he shall cause to be plainly marked or stamped upon the prow of his boat, vessel or craft, for which he shall pay said officer a fee of fifty cents for each vessel registered.

Persons, residents of this State, desirous of catching or taking oysters with ordinary tongs, to apply to the tax collector. Formalities in making such application.

SEC. 7. *Be it further enacted, etc.,* That the tax collector shall require every tongman to state to him moreover, on oath, the probable amount of oysters taken and to be sold by him per day, and the probable amount of his sales for the succeeding three months, computing the time from the fifteenth day of August, annually, and in conformity to such estimate shall pay to such collector an amount in currency upon each one hundred dollars thereof, equal to the tax imposed by law in this State for that year upon one hundred dollars value of land, the said amount to be considered as an advance of the tax to be levied, until the actual sales shall be ascertained. On the first day of December, or so soon thereafter as practicable, the said tongman shall make, or cause to be made, to said collector a return on oath of the actual amount of oysters sold and the price obtained therefor.

Tax collector to require every tongman to make certain statements, under oath.

The collector shall thereupon levy the tax upon that amount, correcting any error that may have occurred between the said estimate and the actual sales, refunding to said tongman any overplus that may have been paid by him, and requiring the payment of any deficiency that may appear against him. The like estimate and the like advance shall be made by said applicant, and the like corrected settlement shall be made by the

Duties of the collector in levying the tax.

collector at the recurrence of the next three months; but, if any tongman shall prefer to pay the sum of fifty cents at the beginning of each quarter, or three months, of the time he proposes to take or catch oysters, and will pay to the collector the said sum of fifty cents for each three months that he may desire to take or catch oysters, in lieu of complying with the foregoing requirements of this section, he is hereby authorized to pay the said sum of fifty cents, and the collector shall give him a receipt therefor, in which receipt the collector shall state that the said sum is in discharge of his obligation, under this section, for the three months for which he pays said sum of fifty cents. If any tongman, after registration, shall permit any other person not registered to take or catch oysters in his said vessel or oyster craft, besides himself and cullers, he shall include in his return to the collector, at the expiration of each three months, the amount of oysters so taken and sold by such person, as if they were caught and sold by himself, and the actual sales therefor; and it shall be the duty of the collector to assess upon that amount the tax herein imposed upon the like value. If he shall hire his vessel or craft to any registered tongman or permit him to use the same for tonging, such registered person shall make return of the amount of sales made by him during the use of such vessel or other craft, as if he had been using his own vessel or craft. If any tongman who shall catch and sell oysters, shall fail to apply for registration, or to comply with the requisition herein made, or shall fail to pay the tax herein imposed, he shall be fined for each offense not less than five nor more than twenty-five dollars.

Penalty for a violation of the provisions of this act.

If any citizen of this State shall be concerned or interested with any person, not resident within the State, in taking, catching or planting oysters within this State, or shall knowingly permit any person, not resident within the State, to take, catch or plant oysters in his name, he shall be liable to a fine of five hundred dollars, and the vessel or craft so employed in catching or planting oysters shall be forfeited. If any person other than a resident of this State shall take or catch oysters, or other shell fish, in any manner, or plant oysters in the waters thereof, he shall forfeit five hundred dollars and the vessel, tackle and appurtenances; and any non-resident shall be deemed to have violated this section who shall allow oysters purchased by him for sale, and laid out as purchased until he has purchased his cargo, to remain so laid down more than sixty days.

Limit of time fixed for taking or catching oysters from April 30 to August 15.

SEC. 8. *Be it further enacted, etc.,* That hereafter it shall not be lawful for any person to take or catch oysters in the waters of this State with tongs or in any other way from the 30th day of April to the 15th day of August; *provided, however,* That nothing in this or preceding acts shall be construed as to prevent the owners of planted oysters from working on or changing the location of said planted oysters, or shipping the same to market at the option of the owner thereof; and any person offending against the provisions of this section, shall forfeit and pay for each offense not less than ten nor more than fifty dollars.

SEC. 9. *Be it further enacted, etc.,* That all oysters taken from any of the waters of this State shall be culled upon their natural beds or in the water near thereto, as taken; and any person or persons violating the provisions of this section, shall be deemed guilty of a misdemeanor, and upon trial and conviction before any court of competent jurisdiction shall be fined not less than five nor more than fifty dollars, or sentenced to the parish jail for a term not less than one month nor more than one year, or forfeit the canoe or vessel used in said violation; any person who shall take oysters embedded or planted by any person of this State, or any oysters deposited by any person making up a cargo for market, or who shall carry or attempt to carry the same away, without permission of the owner thereof, or shall remove, break off, destroy or otherwise injure or alter any stakes, bounds, buoys or other designations of any of said beds, shall be guilty of a misdemeanor, if the amount taken shall be of less value than fifty dollars, and shall suffer the penalty now imposed by law for persons found guilty of petty larceny; and should the amount be of greater value than fifty dollars he shall be deemed guilty of felony and shall suffer the penalty now prescribed by law for grand larceny, and the same penalties shall be imposed on all persons who are convicted of roughing oyster or catching or taking, without culling them, from the natural beds of all waters of the State; and if any person shall take and carry away any shells planted for the formation of oyster beds, without permission of the owner, he shall, on conviction, be punished as prescribed in this section for the larceny of oysters. No person shall be considered a resident of this State within the meaning of the term used in this act, who is not a taxpayer in the State, and shall not have resided therein for twelve months next preceding the time when any offense, with which he has been charged, may have been committed; but the provisions of this section shall not apply to any person who shall be the real and bona fide purchaser of land in the State and has settled upon the same; and in all questions arising as to residence under this act the *onus probandi* shall rest on the defendant, but this provision shall not go into effect before April 30, 1887.

Oysters taken from any of the waters in this State to be culled upon their natural beds or in the water near thereto. Penalty for a violation of this section.

SEC. 10. *Be it further enacted, etc.,* When any difficulty may arise in the execution of this law, it shall be the duty of each collector to give information of any violation thereof known to him, or which may be brought to his notice, to the district attorney for the district in which any offense may have been committed, and the collector shall be guided by the instruction of said district attorney in the mode of proceeding and the remedy provided; and it shall be the duty of said attorney to institute the proper proceedings accordingly and prosecute the same, as provided by this act and the revenue laws of this State. The penalties herein prescribed, not otherwise provided for, if not exceeding one hundred dollars, shall be recoverable by warrant before any justice of the peace of the ward of any parish in which the offense was committed; but either party shall have the right to appeal to the court having jurisdiction, as prescribed by law for appeals in like cases. If said penalties exceed the sum of one hundred dollars, they shall be recoverable by presentment, indictment or information in the district court having jurisdiction

Duty of each collector relative to difficulties arising in the execution of this law, and duty of district attorney in relation to the same.

Owners and masters of canoes, boats or vessels registered or licensed constituted officers for the purposes of this act, with powers therein mentioned.

thereof. All owners and masters of canoes, boats or vessels, registered or licensed under the provisions of this act, are hereby constituted officers of this State, for the purpose of arresting and taking before a justice of the peace, who shall have jurisdiction thereof, any person or persons who may be engaged in violating any of the provisions of this act, and of seizing any canoes, boat or vessel engaged therein; and all such owners or masters are hereby vested with power to summon the *posse comitatus* to aid in making such arrest and seizure as fully as are constables and sheriffs of the several parishes of the State. Upon the arrest of any person or persons, under the provisions of this act, the canoe, boat or vessel so seized, shall be liable for any fine or forfeiture imposed by this act; *Provided*, That the master or commander, or owner or owners of the aforesaid canoes, boats or vessels, may relieve the same from the custody of the person or persons making the seizure or arrest, by giving bond, with approved security, before any justice of the peace, or before any court of competent jurisdiction, in term time or vacation, made payable to the State, in an amount double the fine or forfeiture imposed by law, conditioned to produce the same in as good order as when relieved, to answer the judgment of the court having jurisdiction of offense or otherwise forfeit the bond. In all cases where the vessels, boats or canoes shall be declared forfeited by the judgment of the court, under the provisions of this act, the same shall be sold, and the proceeds of sale, after deducting and paying the costs of seizure, forfeiture and other expenses of proceedings and of sale, shall be applied as follows: One-half to the captors and one-half to the State.

Penalty for resisting the officers.

Any person resisting any officer or other person authorized to make arrest and seizure under the provision of this act, shall be guilty of a misdemeanor, and upon indictment and conviction thereof, in any court having jurisdiction, shall be fined not less than fifty nor more than five hundred dollars.

Mode and manner of catching oysters.

Hereafter it shall not be lawful to take or catch oysters with dredges, scoops, or drag, or like instruments, other than ordinary oyster tongs, or like instrument, or by hand, within the waters of the State. If any person shall take or catch oysters with dredges, scoops, scrape or drag, or like instrument, other than ordinary oyster tongs, or like instruments, or by hand, within the waters of this State, he shall be deemed guilty of a felony, and shall be confined, upon conviction thereof, in the penitentiary not less than one nor more than three years, or, at the discretion of the jury, confined in jail for a period not exceeding one year, or fine not exceeding five hundred dollars. In all proceedings under this act the possession of dredges, scrapes or any like instrument for catching or taking oysters other than oyster tongs or like instruments, shall be considered as *prima facie* evidence that the master or commander of said vessel and his crew, and other persons on board of said vessel, have been guilty of dredging.

Penalty for violation of the provisions of this section.

Any vessel or boat which may be found employed by any person or persons whatsoever in violation of the provisions of this act, so far as they relate to dredging, shall be forfeited to the State, together with the cargo, and upon affidavit by any

Forfeiture of boat and cargo employed in dredging, and providing for the sale thereof.

person before a justice of the peace that a vessel or boat employed, is or has been employed, since the passage of this act, in violation of its provisions, he shall, forthwith, issue his warrant directing the sheriff or some constable of his parish, or any special constable, appointed for the purpose, who shall summon a *posse comitatus*, if necessary, to capture such vessel or boat, and to retain the same safely until ordered to sell or release it; and upon seizure, it shall be the duty of the district attorney of the district wherein such warrant is issued, forthwith to file a petition in the district court of his parish, in which it shall only be necessary to state the fact that such vessel or boat was found employed dredging for oysters, or had been employed in dredging for oysters, since the passage of this act, as the case may be, and when and where such vessel or boat was so found, and praying the forfeiture of such vessel or boat; and thereupon the court shall order the owner or owners of such vessel or boat, if known, and residents of the State, to be summoned to answer the prayer of said petition at the next term; and if non-resident or unknown, the court shall give notice of the filing of said petition, by publication, once a week for four successive weeks, in some newspaper published in the State, and on a hearing of said petition, a jury shall be empaneled to try the issue, whether such vessel or boat has been used in violation of this act, and if judgment be for the State, the court shall direct the sale of such vessel, boat or cargo, at public auction, by the sheriff and tax collector, upon reasonable notice and terms. One-half of the proceeds of such sale, after paying the cost of the proceedings and expenses of sale, shall be reported and paid over to the collector of taxes of the parish, as fines due the State are required by law to be paid, and shall be, by the same collector, paid into the treasury of the State, to the credit of the oyster fund, and the other half shall be paid to the captors of such vessel or boat, and should judgment be given for the owners of such vessel or boat, the same shall be forthwith released to them; and if it should be deemed best for the interest of parties, during the pendency of proceedings of forfeiture, the court shall have authority to order a sale of such property, or any part thereof, in such a manner and subject to such restrictions as it shall deem just and reasonable; and in case of a sale, before a judgment or forfeiture, the proceeds of sale shall be safely kept by the court until after final judgment, when said proceeds shall be disposed of, as herein provided, to be paid over as provided for in Section 3 of this act.

SEC. 11. *Be it further enacted, etc.,* That all that part of the State of Louisiana adapted to the oyster industry shall be divided as follows: All such part of the State lying east of the Mississippi river shall be known as the first oyster district of the State of Louisiana; and all such parts of the State lying between the Mississippi river and the Atchafalaya river, shall be known as the second oyster district of Louisiana; and all such parts of the State lying west of the Atchafalaya river shall be known as the third oyster district of Louisiana; and the Governor shall, when this can be done without any expense to the State other than what shall be known as the Oyster Fund in the State Treas-

Division of the State into oyster districts.

Appointment of oyster commissioners by the Governor, their qualifications, compensation and duties.

ury, by and with the advice and consent of the Senate, appoint three State commissioners, to be known as the "Oyster Commissioners," one from each oyster district, as provided for in this act.

These commissioners shall each have been a resident for at least five years previous to the date of his appointment, of the district to which he is appointed, and shall have at least an experimental knowledge of the oyster industry; these commissioners shall either separately or jointly, from time to time, advise and assist the police juries of their respective districts to carry out fully the objects of this act. These commissioners shall each be paid out of what shall be known in the State treasury as the oyster fund, as provided for in this act, three dollars per day, in addition to the necessary traveling expenses when necessarily engaged in the performance of their duties; they shall keep a record of their proceedings and report the same together with the workings of this act, altogether, with any suggestions thereto they deem necessary to the next General Assembly; they shall hold their offices for a period of four years unless sooner relieved.

State Auditor to furnish certain blanks to the tax collectors and assessors.

Sec. 12. *Be it further enacted, etc.,* That the State Auditor shall furnish the sheriff and *ex officio* tax collector of any parish to which the provisions of this act apply, with the requisite number of blank licenses and blank certificates of registration of persons and vessels, and shall require the said collectors to account for the same as now provided for other blank licenses. The said Auditor shall also furnish the parish assessor of such parishes with the proper list for the assessment of the property under this act, and said auditor shall also furnish the surveyor of any such parish with the requisite number of blank leases or assignments to carry out the provisions of this act.

Certificates of licenses or registration of persons and vessels to be recorded.

Lease or interests in oyster lands or beds subject to attachment.

SEC. 13. *Be it further enacted, etc.,* That all certificates of licenses or registration of persons or vessels, and all assignments on leases of lands, or oyster beds, under this act, shall be recorded within thirty days from date of same in the office of public records in the parish wherein granted; and the lease, hold or assignment interests in oyster land or beds granted according to the provisions of this act, may be attached in the same manner as real estate, and execution may be levied on them in the same manner as upon real estate.

License.

SEC. 14. *Be it further enacted, etc.,* That a license of fifty cents per ton, on each fractional part thereof, shall be levied on and collected from all boats, craft or vessels of any nature, engaged in fishing, taking, catching and carrying oysters within the territorial limits of this State for sale, barter or traffic; *provided*, That no license shall issue for a less sum than fifty cents, and all licenses provided for under this act shall be enforced and collected, under the law now providing for the collection of other licenses, and all moneys derived from said licenses shall be paid over as provided for in section 3, of this act.

Proviso.

Privilege granted to persons having any private, natural or artificial oyster bed.

SEC. 15. *Be it further enacted, etc.,* That nothing in this act shall be construed to in any way prevent anyone from enforcing his civil rights arising under the provisions of this act, before any court of competent jurisdiction, nor to prevent any owner of any private, natural or artificial oyster bed to use the same for his own use and benefit.

SEC. 16. *Be it further enacted, etc.,* That all acts or parts of acts in conflict with the provisions of this act be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886,

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 107.]

AN ACT

To provide for contests and the trial thereof by the Register of the State Land Office of past and future entries of State lands under any laws requiring acts of settlement and cultivation, granting successful contestants the exclusive right to enter the same for a limited time, and to regulate the practice of the State Land Office in the trial thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That in all cases where lands belonging to the State of Louisiana have been entered, or shall hereafter be entered, under any of the laws requiring settlement and cultivation of said lands as a part of the consideration received or to be received by the State for the same, and particularly where such entries have been made or shall be made under the homestead act, the graduation act, or the settlement and cultivation act, it shall be lawful for any person or persons desiring to acquire title to the same, or any part thereof, and who is or shall be otherwise lawfully qualified to acquire the same, to contest said entry or entries, and if successful to acquire title to the lands covered by the same in the manner following: He or they shall file a written notice of contest in the State land office describing said entry or entries by number, date, and the name of the enterers and the land by section, township and range, or other proper description, and setting forth the facts constituting the alleged invalidity of said entry or entries, which said notice shall be supported by the affidavit of the contestant and two witnesses, and on filing the same with the Register of the State land office and the payment of two dollars and fifty cents (\$2 50) for each entry so contested to cover the cost thereof, except that of the services of notices of contest as hereafter provided; it shall be the duty of said Register to issue his notices to the said enterer or enterers, and deliver the same to the contestant or his attorney of record, which notice shall substantially state the facts, the ground of contest, and that on a day to be therein fixed, the parties will be heard in person or by counsel, with such proof as either may adduce, under the prin-

Mode and manner of acquiring title to lands belonging to State which have been entered under the homestead act, the graduation act, or the settlement and cultivation act.

ciples and rules of evidence applicable and now in force in like contests in the land offices of the United States.

Duty of register of State land office to hear and determine as to the validity of the entry, and to affirm or cancel the same.

SEC. 2. *Be it further enacted, etc.,* That the said register shall proceed, on the day fixed for trial of said contest, and in as expeditious a manner as may be consistent with justice and the intent of this act, to hear the evidence and the arguments, and shall decide according to the principles of law and justice and of this act, said entries or any of them, valid or invalid, and to affirm or cancel the same accordingly, and said decision shall be final so far as the executive department is concerned, unless an appeal be taken under existing laws. If said entry or entries are deemed invalid and cancelled, it shall be the duty of said register to notify the parties to the contest, or their attorneys, and thereafter and for a period of sixty days the contestant shall have the sole right, exclusive of all other persons, to enter any or all of said lands under any of the laws then in force, in accordance with all the limitations, conditions and requirements of the same as to quantity, price or acts of settlement and cultivation; *provided*, that none of the provisions of this act shall apply to any land for which the State has issued or may at the time of filing contest have issued a patent or patents, and that the practice, forms and modes of proceeding under this act shall conform so far as consistent herewith, and so far as locally applicable to the established practice, forms and modes of proceeding in like cases now in force in the General Land Office of the United States.

Where the land involved shall not be legally liable to entry, the party entering the same shall have the right to require title thereto.

SEC. 3. *Be it further enacted, etc.,* That if, upon the termination in favor of any contestant of a contest or contests, brought under this act, the land or any part thereof involved therein shall not be then lawfully subject to entry by said contestants, he shall in like manner have the exclusive right to require title thereto, as heretofore provided, within six months after the same shall become liable to legal disposition, of which fact the said Register shall notify him or his attorney of record by mail or otherwise.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 108.]

AN ACT

To amend and re-enact act No. 131 of the General Assembly of 1880, in regard to employes and the salaries of the clerks of the city courts of New Orleans.

Whereas, Due and public notice has been published in accordance with article 48 of the Constitution, of the intention to apply for this act; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That act 131 of the General Assembly of 1880 be amended and re-enacted so as to read as follows: "That each clerk of the city courts of the city of New Orleans be and he is hereby authorized to employ, with the consent of the judge of the court of which he is clerk, one chief deputy, at a salary of twelve hundred dollars (\$1200) per annum, payable monthly.

Creation of office of chief clerk of the city courts of New Orleans, and his compensation.

Sec. 2. *Be it further enacted, etc.*, That this act shall take effect from and after the first day of August, 1886

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 109.]

AN ACT

To amend an act entitled "An Act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof, and to repeal all acts inconsistent and in conflict with its provisions," approved June 23, 1882; and to provide for limit of appropriations in the city of New Orleans, and to repeal an act approved May 10, 1884, entitled, etc.; public notice having been given in accordance with the requirements of Article 48 of the Constitution.

Be it enacted by the General Assembly of the State of Louisiana, That section 66, of Act No. 20, approved June 23, 1882, entitled "An Act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof, and to repeal all acts inconsistent and in conflict with its provisions," be amended and re-enacted so as to read as follows: The council shall not, under any pretext whatever, appropriate any funds for the government of the corporation to the full extent of the revenues, but shall reserve twenty per cent of said revenues, which reserve and all sums, rights, interests and credits received from miscellaneous or contingent sources, shall be appropriated by the council for the purpose of permanent public improvement, as herein provided for.

City council prohibited from appropriating any funds for the government of the city to the full extent of the revenues, and shall reserve twenty per cent of said revenues, to be appropriated for permanent public improvement.

And be it further enacted by the General Assembly of the State of Louisiana, That Act No. 88, approved July 10, 1884, entitled "an act to amend and re-enact an act" be and the same is hereby repealed.

Repeal of Act No. 88 of 1884.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 110.]

AN ACT

To require railroad companies operating and controlling lines of railroads in this State to pay a fair value for all animals killed or injured by their trains and, providing for arbitration in the settlement of same.

Railroad companies operating lines of railway throughout this State to comply with the herein regulations relative to killing or injuring of live stock by their trains

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That all railroad companies operating lines of railway through any portion of this State, shall be required to comply with the following regulations relative to the killing or injuring of live stock by their trains.

Notice to be given to the agent of railway company by the owner of any animal or animals killed or injured by the locomotive or cars of said railway.

SEC. 2. *Be it further enacted, etc.*, That it shall be the duty of the owner or his agent, or representative, to notify, in writing, within a reasonable time, the nearest station agent of the railway company of the killing or injury to any animal or animals by the locomotive or cars of the railway company, giving a description of the animal or animals killed or injured, stating the place as near as may be described where it occurred, and any other facts connected with the matter. It shall be the duty of such station agent so notified, without delay, to notify in writing the superintendent, general agent or agent of the railway company at their domicile, on whose road such killing or injury occurred, and it shall be the duty of said superintendent, general agent or agent at their domicile to instruct, without delay, an agent on behalf of said railway company, to confer with the owner or his representative of the stock so killed or injured, and if they fail to agree upon the sum to be paid for such animal or animals as may have been killed, or injured, in such case, each may select an arbitrator, from the parish in which the animal was killed or injured; *Provided*, That said arbitrator shall not be the agents or servants of either party, to whom the matter shall be referred, and in case they fail to agree they shall call in an umpire, whose decision shall be final; said arbitrators and umpire shall be duly sworn to make a just award, and said arbitration shall take place and be held at the railroad station thereon nearest to the place where the stock was killed or injured.

Duty of said agent on receipt of such notice.

Failure to agree upon the value of the animal so killed or injured to be referred to arbitrators *Proviso*.

Duty of railroad company to pay the amount of award.

Penalty for non-compliance therewith.

Proviso.

Right reserved to owner of stock so killed to damages against the company.

SEC. 3. *Be it further enacted, etc.*, That it shall be the duty of the railway company, within thirty days after the date of any award by such arbitrators, to pay to the owner or his legal representative, the amount agreed upon by the arbitrators, and upon their failure so to do within the prescribed time, they shall pay to the owner of said stock five per cent a month for every month or fraction of a month, in addition to the amount of damages awarded by said arbitrators; *provided*, in case arbitration fails, that nothing in this act shall be so construed as to create any liability or responsibility on the part of the railway company for such killing or injury; *provided*, that nothing in this act shall be construed to deny to any owner of stock that may be injured or killed the right to institute his action for damages in the courts, or to compel them to avail themselves of the benefit of this act.

And, provided further, That there shall be no responsibility on the part of railroad companies for the killing or injury of stock where said railroad companies have their line of track fenced in and kept in good order, and have erected and maintained, in good order, suitable cattle guards at crossings; *and, provided further,* That if the arbitrators cannot agree, and cannot agree on the selection of an umpire, then the nearest magistrate shall appoint the umpire, who shall be sworn as the other arbitrators.

No responsibility to be attached to railroad companies where their line of track is fenced in and kept in good order.

Where arbitrators fail to agree, how an umpire can be appointed.

SEC. 4. *Be it further enacted, etc.,* That this act shall take effect from and after thirty days after the promulgation of this act.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 111.]

AN ACT

To encourage sheep husbandry, to protect sheep from the ravages of dogs, to make it a misdemeanor to knowingly own or keep a sheep-killing dog, and to provide a penalty for the same; and to invest police juries with power to pass certain ordinances, to declare the violation of such ordinances a misdemeanor, and to provide the punishment thereof.

Whereas, Many portions of this State are well adapted to sheep husbandry; and,

Whereas, This industry would greatly prosper and would be a source of great profit but for the ravages of dogs; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the police juries of the several parishes of this State are hereby authorized to pass all such ordinances as they may deem necessary to encourage sheep husbandry, to protect sheep from the ravages of dogs, and to impose such fines and penalties to enforce said ordinances as they may deem proper, to be recovered by ordinary process before any court of competent jurisdiction, in the name of the police jury of the parish.

Police juries authorized to pass ordinances to encourage sheep husbandry, to protect sheep from dogs, and to impose fines and penalties to enforce said ordinances and the manner of collecting the same.

SEC. 2. *Be it further enacted, etc.,* Whoever shall violate any ordinance of a police jury passed pursuant to the foregoing section of this act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine not to exceed one hundred dollars, or be imprisoned not exceeding thirty days, or both, at the discretion of the court; *provided,* that the imposition of a fine by civil process shall not be a bar to a prosecution under this section, nor shall a prosecution under this section bar a civil proceeding to recover a fine as provided in section one of this act.

Penalty for violation of the ordinances of police jury, passed in accordance with this act.

Proviso.

Petition necessary before the police jury can pass ordinances authorized by this act.

Police jury to provide, by ordinance, for the destruction of dogs owned or kept contrary to their ordinances.

No damages shall be allowed to anyone who shall kill any dog owned and kept in violation of police regulations, or who shall have bit any sheep or lamb.

Damages allowed to any person who shall be injured or his property be injured by any dog kept in violation of the ordinances of the police jury.

Penalty against the owner of any dog who shall kill, maim or bite any sheep or lamb.

Penalty against the owner of any dog who shall have killed, or maimed, or bit any sheep or lamb.

What evidence will be necessary in such cases.

SEC. 3. *Be it further enacted, etc.,* That upon the petition of not less than fifty taxpayers of any parish it shall be the duty of the police jury to pass and it shall pass the ordinances authorized and contemplated by this act; and the said police juries shall have the power, and it shall be their duty to devise ways and means to destroy dogs owned or kept contrary to their said ordinances, and at the expense of the parish, if necessary.

SEC. 4. *Be it further enacted, etc.,* That no damages shall be awarded against any person who shall kill any dog owned or kept in defiance of said police jury ordinances, or which shall have killed, or maimed, or bit any sheep or lamb, and if sued he shall have the right to reconvene, wherever the plaintiff may reside, and if the defendant shall prevail in the suit he shall recover against the plaintiff, ten times the amount of damages done by said dog, for the benefit of the owner of the sheep injured, and cost of suit, and also a reasonable amount for the expenses, loss of time and attorney's fees, incurred by the defendant, which shall be collected as cost.

SEC. 5. *Be it further enacted, etc.,* That if any dog, owned or kept in violation of the police jury ordinances authorized by this act, shall injure any person or property, the person injured or the owner of the property injured shall recover against the owner or keeper of said dog, five times the amount of damages sustained and cost, together with a reasonable amount for his attorney's fees and necessary expenses, which shall be collected as cost.

SEC. 6. *Be it further enacted, etc.,* That if any dog shall kill, maim or bite any sheep or lamb the owner of the same shall recover from the owner or keeper of said dog, ten times the amount of damages sustained and cost, together with a reasonable amount for his necessary expenses, loss of time and attorney's fees, incurred by such suit, which shall be collected as cost.

SEC. 7. *Be it further enacted, etc.,* That whoever shall knowingly own or keep any dog which shall have killed or maimed or bit any sheep or lamb, shall be deemed guilty of a misdemeanor, and shall upon conviction be fined not less than twenty-five dollars, or imprisoned not less than thirty days, or both, at the discretion of the court. Credible information from others, verified by oath and communicated to the owner or keeper of said dog, and strong circumstantial evidence, as well as the personal experience of such owner or keeper, shall constitute knowledge in the sense of this section. A prosecution under this section shall not bar any civil proceeding authorized by this act, nor shall such civil proceeding bar said prosecution.

SEC. 8. *Be it further enacted, etc.,* That all laws and parts of laws contrary to or inconsistent with the provisions of this act, be and the same are hereby repealed.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 112.]

AN ACT

To amend an act entitled "an act to invest police juries with the management and control of the completed public levees; to require them to make laws and provide means for the protection, preservation and repair of the public levees; to provide for dividing parishes into levee wards or districts, and for the appointment of levee overseers therefor; to prescribe the duties of levee overseers; to prohibit the cutting of public levees for any purpose except for their repair or reconstruction or for placing therein rice flumes and pipes or conduits for supply of water in the manufacture of sugar; to prescribe punishment and penalties for violation of this act; and to repeal act No. 88, approved April 10, 1880, and act No. 104, approved July 5, 1882, and all acts in conflict with the provisions of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That section five (5) of act No. 84, approved July 10, 1884, be amended and re-enacted so as to read: That the parish of Orleans, east bank of the Mississippi River, be exempted from the provisions of this act. That the provisions of this act, in so far as they relate to rice flumes, shall not be applicable to the parish of Lafourche, and to those portions of the parish of Plaquemines on the right bank of the Mississippi River, below the lower line of "Live Oak Grove" plantation, and on the left bank of said river below the line of Belair plantation, and that the matter of prescribing the manner in which levees may be cut for rice flumes, roads and machinery, in the parish of Lafourche and the exempted portions of the parish of Plaquemines be relegated to the police juries of said parishes, and the said police juries are hereby invested with full authority as to the manner of cutting of the levees for the purpose of placing rice flumes, roads and machinery within the bounds specified in this section.

Exemption of the parish of Orleans, east of Mississippi river, from the provisions of this act.

Provisions of this act, in so far as applicable to "rice flumes," not to be applicable to parish of Lafourche and to parish of Orleans, below "Live Oak Grove" plantation, right bank of Mississippi river, and below "Bel Air" plantation on left bank of said river.

Police juries in those parishes to prescribe the manner of cutting the levees for rice flumes

SEC. 2 *Be it further enacted, etc.*, That this act shall go into force and take effect on and from the first day of September, A. D., 1886.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 113.]

AN ACT

To amend an act entitled "An Act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof, and to repeal all acts inconsistent and in conflict with its provisions," approved June 23, 1882, and to provide for paving and banquetting streets in the city of New Orleans.

Public notice having been given in accordance with the requirements of Article 48 of the Constitution.

Proceedings in
relation to paving
and banquetting
streets in the city
of New Orleans.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That section 32 of Act No. 20, approved June 23, 1882, entitled "An Act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof, and to repeal all acts inconsistent and in conflict with its provisions," be amended and re-enacted so as to read as follows: Whenever one-fourth of the owners of real property, fronting on any unpaved or unbanquetted street in the city of New Orleans, shall by petition, signed by the petitioner or petitioners, and addressed to the council of said city, asking for the paving or banquetting of said street or any portion thereof, setting forth the character or quality of said pavement or of said banquetting, said council shall have said petition published in English in the official journal of said city for and during four weeks, once in each week, and if at the expiration of said publication so made of said petition, a majority of the owners of real property fronting on said streets or said portions thereof, shall not, by memorial signed by memorialist or memorialists, and addressed to said council, object to the same; said council shall, by resolution or otherwise, order said paving or said banquetting, so petitioned for, to be made in accordance with section 21 of this act; the cost of said paving shall be borne, three-fourths by owner or owners of real property and fronting on said pavement, in equal proportions, according to the running foot front, and the cost of one-fourth of said pavement in front of private property and whole of intersections shall be borne by the city. The property portion to constitute a first privilege superior to vendor's lien or any other privilege or mortgage. The whole cost of banquetting to be borne by real estate fronting on said banquettes in equal proportions. Upon the petition of real estate owners asking that payments be provided for their portion of cost in one, two and three equal installments, the council may advertise for bids upon said terms and contract for said paving; say one-third payable in cash and balance in one and two years, and providing that six per cent. interest be paid on such deferred payments, and that the lien on such property shall remain in force for the amount due for principal and interest till final payment is made, providing that nothing herein shall be construed as affecting act 73, approved March 30, 1876, as to the paving of neutral grounds or streets adjacent to the levee, or other parts of said statute not inconsistent with this act.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,

Secretary of State.

b. 114.]

AN ACT

to authorize the council to establish a uniform grade of banquettes in the city of New Orleans, and amending section 8 of act No. 20 of 1882, to conform thereto; providing for the payment of the work, by making the bills therefor a first lien and mortgage on the property fronting the improvement, and providing what shall constitute a legal notice under this act.

Whereas, Due and public notice has been given of the intention to introduce this act in the General Assembly, for thirty days prior to its introduction in the General Assembly, according to the provisions of article 48 of the Constitution; *whereas*, evidence that such notice has been published has been exhibited to the General Assembly.

Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the council of the city of New Orleans shall have power and authority to establish a uniform grade of banquettes or sidewalks in the city of New Orleans, and to order the raising or lowering or regrading of any banquette or sidewalk, and that section 8 of act No. 20 of 1882 be and the same is hereby amended so as to conform herewith.

Power and authority upon the city council to establish a uniform grade of banquettes and sidewalks.

SEC. 2. *Be it further enacted, etc.*, That whenever the council shall decide to establish a certain grade of banquettes upon any street or streets, the city surveyor shall at once give the grade and make same known, upon which the proper notices shall be issued by the commissioner of public works to owners of property or their agents, representatives or tenants, to conform to the newly established grade, within ten days after the service of notice.

Duties of the city surveyor when the council shall decide to establish a certain grade of banquettes and sidewalks.

SEC. 3. *Be it further enacted, etc.*, That in case of failure or refusal by the property owner or agent or representative to commence the work within the time allowed, the controller is hereby authorized and directed, upon the written request of the commissioner of public works, to advertise for bids for the repairing or regrading of all such banquettes or sidewalks to the grade established, in accordance with specifications to be prepared by the city surveyor, at the risk and expense of the owners of property, to be paid for in the manner hereinafter set forth.

Penalty for failure or refusal on the part of proprietors or their agents to comply with ordinances of council.

Work to be done by bids.

SEC. 4. *Be it further enacted, etc.*, That upon the completion of the work the city surveyor and commissioner of public works shall examine same, and if decided to be satisfactorily done, shall issue a certificate signed by each of them respectively and approved by the mayor, which shall constitute a first lien and mortgage upon the property, which certificate shall be registered by the recorder of mortgages against the property liable therefor, and to bear interest at the rate of six per cent. per annum from maturity till paid.

Work when completed to be accepted by the surveyor and commissioner of public works, and if satisfactorily done how paid.

SEC. 5. *Be it further enacted, etc.*, That a notice duly served upon the owner, his or her agent shall constitute a legal and valid notice, under this act. The party or parties collecting the rent shall come under the term agent; that in case of an absence or non-resident not represented by an agent, a printed notice pasted or nailed upon the premises in the presence of

What will constitute a valid notice to owner or agent.

How to proceed against absentees or non-residents.

two witnesses, shall be and it is hereby declared a valid and legal notice under this act.

SEC. 6. *Be it further enacted, etc.,* That all laws or parts of laws inconsistent herewith or in conflict with its provisions are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.
Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.
A true copy from the original:
OSCAR ARROYO,
Secretary of State.

No. 115.]

AN ACT

Directing the transfer of unexpended balances, appropriated act 46, acts of 1884; and providing for their distribution.

Transfer of unexpended balances appropriated by Act No. 46 of 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the unexpended balances, amounting to thirty-seven hundred and sixty-three dollars (\$3,763), appropriated by act 46, acts of 1884, be and the same are hereby transferred to and appropriated out of the general fund of 1887 and 1888.

\$1,500 for artificial limbs to be supplied etc., under Act No. 46 of 1884, and for repairs to same.

Out of the general fund of 1886, the sum of fifteen hundred dollars (\$1,500), for artificial limbs to be supplied, not yet applied for, under act 46, of 1884, and for repairs to artificial limbs.

\$1,500 for artificial limbs to be supplied etc., under Act No. 46 of 1884, and for repairs to same.

Out of the general fund of 1887, the sum of fifteen hundred dollars (\$1,500), for artificial limbs to be supplied, not yet applied for, under act 46, of 1884, and for repairs of artificial limbs.

\$763 for artificial limbs to be supplied etc., under Act No. 46 of 1884, and for repairs to same.

Out of the general fund of 1888, the sum of seven hundred and sixty-three dollars (\$763), for artificial limbs, to be supplied not yet applied for, under act 46, of 1884, and for repairs of artificial limbs.

Mode of paying said sums.

SEC. 2. *Be it further enacted, etc.,* That the foregoing appropriation for artificial limbs, not yet applied for under act 46 of 1884, shall be paid out according to provisions and regulations of section 4 of said act, and that the repairs shall be paid on the order of the adjutant general, which order shall be the voucher of the auditor of public accounts for the warrant which he shall issue in favor of contractor or beneficiary against the general fund of the year in which the repairs are made. All warrants issued under and by authority of this act shall be re

Warrants issued under this act to be receivable for any license or taxes due to the general fund of the year in which they are issued.

able for any license or taxes due and payable to the general
of the year in which they are issued.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

true copy from the original :

OSCAR ARROYO,
Secretary of State.

[o. 116.]

AN ACT

to grant relief to the wounded and disabled Confederate soldiers of the State of Louisiana, and to the widows of Confederate soldiers wounded and disabled or killed during the late civil war, who are now in indigent circumstances.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That any resident of this State, in indigent circumstances, who being regularly enlisted in the military or naval service of the Confederate States, from this State, during the late civil war, and who during that term of enlistment received such wound as to cause amputation of limb, or who became maimed by such wound to such an extent as to permanently disqualify him from the active vocation of life, shall be entitled to enter on the vacant lands of the State not more than one quarter section in a body of land hereinafter described. The provisions of this act shall also apply to the widows of Confederate soldiers who are now unmarried and in indigent circumstances, and dependent on their own physical labor for support, whose husbands were killed in battle, or from the effects of wounds received in battle, or otherwise, lost their lives in the service of the Confederate States, or have died since leaving the service of the Confederate States from such wounds.

Relief granted to any resident of this State, in indigent circumstances, who being regularly enlisted in the military or naval service of the Confederate States, from this State, during the late civil war, who have received wounds so as to cause amputation of limb or such other wound as would disqualify him to the active vocation of life.

SEC. 2. *Be it further enacted, etc.,* That this act shall not be construed to apply to those who subsequent to receiving such injury deserted from the Confederate service, or to those who are "Beneficiaries" of the State in the Soldiers' Home at New Orleans, or who have availed themselves of the privilege of act 96 of 1884.

Deserters from the Confederate States service, and beneficiaries of the Soldiers' Home in New Orleans, exempted from the provisions of this act.

SEC. 3. *Be it further enacted, etc.,* That any person wishing to avail himself or herself of the privilege accorded by this act, shall, if a soldier, provide himself with and file, the certificate of two physicians, showing disability as aforesaid, in detail, minutely describing the injury or disability, the extent to which and the reason why it prevents the applicant from pursuing the ordinary avocations of life, so as to enable the register to judge as to the applicant's right to relief under this act, also, his own affidavit, corroborated by that of three members of the same military command, showing that the affiant served in the same

Proceedings for the purpose of availing one entitled thereto to provisions of this act.

command with them, that he received the wound in a specific battle or engagement, and that his disability results from said wound, describing the wound, the circumstances under which it was received and its effect, in detail. If the applicant is a widow she must file her own affidavit and those of two other persons, to each fact shown, taken before the clerk of the district court in and for the parish in which the affiant resides, showing that she is the widow of the Confederate soldier named, that she is unmarried, in indigent circumstances, and dependent on her own physical labor for support, showing when, where, under what circumstances and from what cause her husband died, or was killed; that she was his lawful wife at the time of his death, showing the command to which her husband belonged, when and where he enlisted, the battle or engagement in which he was killed or wounded, or by what means he met his death; describing the wound, the circumstances under which it was received, and its effect or other cause of death. The facts recited in the last clause must appear from affidavits made by at least two members of the same military command to which the deceased husband belonged, and if it is claimed that the husband died after the war from the effects of a wound received during the war, the cause of death must be made to appear also by the certificate of at least one regular licensed and practicing physician; *provided* That the applications for relief under this act shall be countersigned and approved by the Association of the Army of Northern Virginia, or the Association of the Army of Tennessee, or the Association of the Trans-Mississippi Department through their proper officers; and upon the filing of these proofs with the Register of the State Land Office, it shall be his duty to issue to the applicant a patent for the land described, or a certificate or warrant, in such form as he may provide, with the assent and advice of the Attorney General of the State, certifying that he or she has made proof in pursuance of this act, and is entitled to locate and enter in satisfaction thereof one quarter section of swamp land in a body, and according to legal subdivisions of any land belonging to the State subject to entry and not in possession of an actual settler, except school lands and lands acquired by the State at tax sales or by legal process.

Proviso.

Right of location by the person in whose favor a warrant or certificate shall issue, or his assignee, on any public lands of this State.

Upon the location of the warrants or certificate, patent to issue.

Proviso.

SEC. 4. *Be it further enacted, etc.,* That said certificate or warrants may be located by the person to whom the same shall have been issued, or may be assigned by instrument in writing according to such forms and regulations as the register of the land office may provide, in such mode as to vest the assignee with all the rights of assignor.

SEC. 5. *Be it further enacted, etc.,* That on the location of the warrants or certificates authorized by this act, a patent shall issue, as required by existing law, to the locator for the amount of land specified in such warrant; *provided*, That no fees or commissions of any kind whatsoever shall be charged by any officer for any services under this act, or any certificate, warrant or patent issued or to be issued under its provisions, except in locations made by assignees, in which case existing legal fees may be charged as in other cases.

SEC. 6. *Be it further enacted, etc.,* That this act shall take ^{Limitation of this} effect from and after its passage, and shall remain in force for ^{act.} five years, unless sooner repealed.

SEC. 7. *Be it further enacted, etc.,* That all laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 117.]

AN ACT

To amend and re-enact section fourteen hundred and seventy-nine (1479) of the Revised Statutes of the State of Louisiana, by inserting in the first line thereof the words, "the State, or any political corporation of the same created for the purposes of exercising any portion of the governmental powers of the State, or," and to make the general laws of forms and process of expropriation applicable to the section thus amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That section fourteen hundred and seventy-nine (1479) of the Revised Statutes of the State of Louisiana, be amended and re-enacted so as to read as follows: "Whenever the State, or any political corporation of the same, created for the purpose of exercising any portion of the governmental powers in the same, or any corporation constituted under the laws of this State for the construction of a railroad, plank road, turnpike road, or a canal for navigation, or for the purpose of transmitting intelligence by magnetic telegraph, cannot agree with the owner of any land which may be wanted for its purchase, it shall be lawful for such corporation to apply by petition to the district court in which the same may be situated, or if it extends into two districts, to the judge of either district court in which the owner resides; and if the owner does not reside in either district, then to either of the district courts, describing the lands necessary for the purposes, with a plan of the same and a statement of the improvements thereon, if any, and the name of the owner thereof, if known and present in the State, with a prayer that the land be adjudged to such corporation upon payment to the owner of all such damages as he may sustain in consequence of the expropriation of his land for such public works. All claims for land or damages to the owner caused by its expropriation for such public works shall be barred by two (2) years' prescription, which shall commence to run from the date at

Expropriation of
lands of individuals
—how made.

which the land was actually occupied and used for the construction of the works.

Application of the above made to all existing laws for the forms and process of expropriation of property.

SEC. 2. *Be it further enacted, etc.,* That all the existing laws for the forms and process of expropriation of property shall be applicable to the said section as thus amended and re-enacted.

SEC. 3. *Be it further enacted, etc.,* That this act shall take effect from and after its passage.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original :
OSCAR ARROYO,
Secretary of State.

No. 118.]

AN ACT

Authorizing and empowering the Board of Commissioners of the Fifth Louisiana Levee District, by and with the consent of the proper authorities in the State of Arkansas, to construct, maintain or repair such levee or levees in said State of Arkansas, as said board in their discretion may determine upon as being for the better protection from overflow of the lands in said district.

Powers conferred upon board of levee commissioners of the fifth levee district relative to the construction, maintenance and repairs of such levee or levees in the State of Arkansas.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the Board of Commissioners of the Fifth Louisiana Levee District, be and are hereby authorized and empowered to construct, maintain or repair such levee or levees in the State of Arkansas, as they in their discretion may select; *provided,* That in their judgment the construction, maintenance or repair of such levee or levees will secure better protection from overflow to the lands of said district, than across levee or levees from the Mississippi river to the Macon Hills; *and, provided, further,* That the same be done with the consent and approval of the proper authorities in said State of Arkansas.

Proviso.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.
Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.
A true copy from the original :
OSCAR ARROYO,
Secretary of State.

No. 119.]

AN ACT

To amend an act entitled "an act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof; and to repeal all acts inconsistent and in conflict with its provisions," approved June 23, 1882, and to provide for paving and banquetting streets in the city of New Orleans.

Public notice having been given, in accordance with the requirements of article 48 of the Constitution.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That section 37, of act No. 20, approved June 23, 1882, entitled "an act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof, and to repeal all acts inconsistent and in conflict with its provisions," be amended and re-enacted so as to read as follows: The council may, in its discretion, provide for the paving or banquetting of any street, or portion thereof, at the expense of the whole city, and may thereupon force, impose and collect, on paving of the front proprietors of lots fronting on said streets, a special assessment, in proportion to frontage of three-quarters of the cost of said improvement, and such local assessment, shall have a first privilege, superior to vendor's privilege, and all other privileges and mortgages. The other one-fourth, in addition to intersections, to be paid by the city, on banquetting, the whole cost to be collected from front proprietor; *provided*, That a two-third vote of the members of council is secured, for said banquetting or paving; and whenever council shall deem it necessary to take such action, notice of said intention shall be published in the official journal, once a week for four weeks, and such improvements shall be subject to the conditions already prescribed for improvement or repairs to be made, on compliance with the petition of property-holders and payment thereof, shall be assumed and collected in like manner.

Powers and duties of the city council in paving and banquetting any streets or portion thereof.

Proviso.

H. W. OGDEN,
Speaker of the House of Representatives.

CLAY KNOBLOCH,
Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. McENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 120.]

AN ACT

For the better protection of the State of Louisiana in prohibiting the introductions or use of infectious or contagious substances, matters or things claimed to be infectious or contagious (vaccine virus excepted) capable or claimed to be capable of transmission by inoculation, except under a special permit from the Board of Health of the State of Louisi-

ana, and to provide for the arrest and removal to the lower quarantine station of any person or persons who have introduced such infectious or contagious matters into the State of Louisiana, and their detention at the lower quarantine station at the discretion of the Board of Health of the State of Louisiana, and for the seizure and destruction of such infectious or contagious matters, substances or things.

Prohibition by introducing or attempting to introduce any substance, matter or thing which, in the opinion of the board of health, may produce a liability to contagion or infection of any disease among the population of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That it shall be unlawful for any person or persons to introduce or attempt to introduce or use into the State of Louisiana any substance, matter or thing which, in the opinion of the Board of Health of the State of Louisiana, may produce a liability to contagion or infection of any disease among the population of the State of Louisiana, whether the same shall be in the form of bacteria germs, microbes, virus (vaccine virus excepted), or other substances, matters or things containing or supposed or claimed to contain the elements of any contagious or infectious disease, disorder, or malady, or whether the same be claimed to be, or really is for the purpose of inoculation or any other purpose, unless the person or persons so introducing the said substance, matter or thing, shall have obtained, prior to said introduction, the permission, in writing, from the said Board of Health of the State of Louisiana, which permission shall specify the manner, condition, form and method in which said substances, matters or things shall be introduced and used within the limits of the State, the terms of which permit shall be strictly complied with by the person or persons so introducing the said substance, matter or thing, under the pains and penalties for the violation of the same, as hereinafter provided by this act.

Penalty for any violation of this act.

SEC. 2. *Be it further enacted, etc.,* That any person or persons who shall introduce, or attempt to introduce, or use any such substance, matter or thing into the State of Louisiana, or shall violate the permit granted by the Board of Health, shall be arrested, removed to and detained at the lower quarantine station, and shall be subjected, together with his apparel, baggage, goods and effects, to the same treatment, fumigation and disinfection as an infected person, and to detention for such a length of time as the Board of Health of the State of Louisiana may deem necessary, and to the seizure and destruction of said contagious or infectious substance, matter or thing.

SEC. 3. *Be it further enacted, etc.,* That all laws or parts of laws in conflict with this act be, and the same are hereby repealed.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO,
Secretary of State.

No. 121.]

AN ACT

To amend and re-enact article 2278, of the Revised Civil Code of Louisiana.

Be it enacted by the General Assembly of the State of Louisiana, That article 2278, of the Revised Civil Code, be and is hereby amended and re-enacted, so as to read as follows:

Parol evidence shall not be received :

1. To prove any acknowledgment or promise to pay any judgment, sentence or decree of any court of competent jurisdiction, either in or out of this State, for the purpose or in order to take such judgment, sentence or decree out of prescription, or to revive the same, after prescription has run or been completed.

2. To prove any acknowledgment or promise of a party deceased to pay any debt or liability, in order to take such debt or liability out of prescription, or to revive the same after prescription has run or been completed.

3. To prove any promise to pay the debt of a third person.

4. To prove any acknowledgment or promise to pay any debt or liability, evidenced by writing, when prescription has already run. But in all cases mentioned in this article, the acknowledgment or promise to pay shall be proved by written evidence signed by the party who is alleged to have made the acknowledgment or promise or by his agent or attorney in fact, specially authorized in writing so to do.

H. W. OGDEN,
Speaker of the House of Representatives.
CLAY KNUBLOCH,

Lieutenant Governor and President of the Senate.
Approved July 8, 1886.

S. D. MCENERY,
Governor of the State of Louisiana.

A true copy from the original :

OSCAR ARROYO,
Secretary of State.

Amendment of
Article 2278 of the
civil code.

Inadmissibility of
parol evidence.

1. To prove any acknowledgment or promise to pay any judgment, sentence or decree of any court of competent jurisdiction to take the same out of prescription or to revive the same after prescription has been completed.

2. To prove any acknowledgment or promise of a party deceased to pay any debt or liability in order to take the same out of prescription or to revive the same after prescription.

3. To prove any promise to pay the debt of a third person.

4. To prove any acknowledgment or promise to pay any debt or liability evidenced by writing, when already prescribed.

No. 122.]

AN ACT

To fix the terms of Court for the Circuit Courts of Appeal.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That the terms of the Circuit Courts of Appeal shall be as follows :

FIRST CIRCUIT

As now fixed in article 99 of the Constitution.

SECOND CIRCUIT

As now fixed in article 99 of the Constitution.

Terms of the first
circuit court of ap-
peals.

Terms of the second
circuit court of
appeals.

Terms of the third circuit court of appeals.

Parish of St. Landry.

Parish of Avoyelles.

Parish of Rapides

Parish of Cameron

Parish of Calcasieu.

Parish of Vermilion.

Parish of Lafayette.

Parish of Iberia.

Parish of St. Martin.

Parish of Grant.

Parish of Vernon.

Terms of court of the fourth circuit court of appeals.

Parish of East Baton Rouge.

Parish of West Baton Rouge.

Parish of Livingston.

Parish of Tangipahoa.

Parish of St. Tammany.

Parish of Washington.

Parish of St. Helena.

Parish of East Feliciana.

Parish of West Feliciana.

Parish of Pointe Coupée.

Parish of Iberville.

Terms of court of the fifth circuit court of appeals.

Parish of St. Mary.

Parish of Terrebonne.

Parish of Assumption.

Parish of Lafourche.

Parish of St. Charles.

Parish of St. Bernard.

Parish of Plaquemines.

THIRD CIRCUIT.

St. Landry—First Tuesdays of January and June.

Avoyelles—Third Tuesdays of January and June.

Rapides—First Tuesdays of February and July.

Cameron—Third Tuesdays of February and July.

Calcasieu—First Tuesday of March and second Tuesday of October.

Vermilion—Third Tuesday of March and fourth Tuesday of October.

Lafayette—Fourth Tuesday of March and first Tuesday of November.

Iberia—Second Tuesday of April and second Tuesday of November.

St. Martin—Fourth Tuesday of April and fourth Tuesday of November.

Grant—First Tuesdays of May and December.

Vernon—Third Tuesdays of May and December.

FOURTH CIRCUIT.

East Baton Rouge—First Mondays in January and June.

West Baton Rouge—Fourth Mondays in January and June.

Livingston—First Monday in February and fourth Monday in May.

Tangipahoa—Second Mondays in February and July.

St. Tammany—Fourth Monday in February and first Monday in July.

Washington—First Mondays in March and October.

St. Helena—Second Mondays in March and October.

East Feliciana—Fourth Mondays in March and October.

West Feliciana—Second Mondays in April and November.

Pointe Coupée—Fourth Mondays in April and November.

Iberville—Second Mondays in May and December.

Terms of the Fifth Circuit Court shall be as follows :

St. Mary—First Mondays in January and May.

Terrebonne—Third Mondays in January and May.

Assumption—First Mondays in February and June.

Lafourche—Third Mondays in February and June.

St. Charles—First Mondays in March and October.

St. Bernard—Second Mondays in March and October.

Plaquemines—Third Mondays in March and October.

St. John the Baptist—Fourth Mondays in March and October.

Parish of St. John the Baptist.

St. James—First Mondays in April and November.

Parish of St. James.

Ascension—Second Mondays in April and November.

Parish of Ascension.

Jefferson—Fourth Mondays in April and November.

Parish of Jefferson.

SEC. 2. *Be it further enacted, etc.,* That this act shall take effect and be in force from and after the first Monday of October, 1886.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 123.] CONCURRENT RESOLUTION

Relative to the removal of the Roller Coaster at West End, New Orleans.

Be it resolved by the House of Representatives of the State of Louisiana, the Senate concurring, That the Roller Coaster, constructed on State property at West End, in the city of New Orleans, is a public nuisance, and that the Governor of the State is requested to remove or demolish the same.

Declaring the roller coaster constructed on State property at West End to be a nuisance and requesting the Governor to remove the same.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

No. 124.] RESOLUTION

Continuing in existence the Committee on Constitutional Amendments.

Resolved, That the Joint Committee of the Senate and House of Representatives, appointed under House Concurrent Resolution No. 25, to report an amendment or amendments relative to the judiciary system be continued in force, with leave to report at the next regular session or at an intervening extra session of the General Assembly, if any such extra session may occur.

Joint committee of the General Assembly appointed under Concurrent Resolution No. 25 of 1886 to be continued until the next session, and to report at the next session or at an intervening session of the General Assembly.

H. W. OGDEN,

Speaker of the House of Representatives.

CLAY KNOBLOCH,

Lieutenant Governor and President of the Senate.

Approved July 8, 1886.

S. D. MCENERY,

Governor of the State of Louisiana.

A true copy from the original:

OSCAR ARROYO, Secretary of State.

TITLES OF
Acts, Joint and Concurrent Resolutions
PASSED BY
THE GENERAL ASSEMBLY
OF THE
STATE OF LOUISIANA.
AT THE
REGULAR SESSION OF 1886, WITH THE DATES OF THEIR AP-
PROVAL AND THEIR PROMULGATION.

TITLES

—OF—

ACTS AND JOINT RESOLUTIONS

—PASSED—

by the General Assembly of the State of Louisiana at the Regular Session of 1886, with the Date of their Approval and of their Promulgation.

Nos.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
1	Joint Resolution commemorative of General Winfield Scott Hancock...	May 24, 1886....	May 26, 1886.
2	An Act making appropriation to defray the expenses of the General Assembly of the State of Louisiana, to pay the actual traveling expenses and per diem of the members, the salaries of the officers and employes, and other expenses thereof for the Regular Session commencing May 10, 1886.....	May 24, 1886....	May 26, 1886.
3	Concurrent Resolution, requesting our Senators and Representatives in Congress to secure such legislation at the present session of Congress as will afford ample protection to every actual settler upon the lands granted to the State of Louisiana by Act of Congress passed June 3, 1856, to aid in the construction of a railroad from a point on the Mississippi river, opposite Vicksburg, by way of Monroe and Shreveport to the Texas line, which road was known as the Vicksburg, Shreveport and Texas Railroad; and to provide means by which settlers on the lands not earned by said railroad and disposed of according to the terms of said grant, may acquire from the government a title to the lands occupied by them, without paying more than the ordinary fees for homestead entry.....	June 1, 1886....	June 2, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
4	Concurrent Resolution, indorsing the policy pursued by Messrs. Gladstone and Parnell on the Irish question...	June 1, 1886.....	June 2, 1886.
5	Concurrent Resolution, asking for an appropriation by Congress for the purpose of dredging and removing islands, sandbanks and other obstructions of whatever nature they may be, from the mouth of Bayou Lafourche where it empties into the Gulf of Mexico, in the parish of Lafourche to Raceland station, on Bayou Lafourche, in Lafourche parish, State of Louisiana.....	May 31, 1886....	June 4, 1886.
6	Concurrent Resolution, relative to the improvement of navigable streams in the parish of St. Tammany.....	May 31, 1886....	June 4, 1886.
7	Joint Resolution, providing for the repairs of artificial limbs supplied by the State, which have been furnished to citizens of the State who lost a limb or limbs in the Confederate military service, with substantial artificial limbs.....	June 3, 1886.....	June 4, 1886.
8	Concurrent Resolution, inviting Levee Commissioners from Chicot, Desha and Phillips counties, Arkansas, to Baton Rouge, to confer with legislative committees.....	June 3, 1886.....	June 4, 1886.
9	Concurrent Resolution, relative to establishing a Mechanical School and memorializing the Congress of the United States for the donation of the United States Marine Hospital at New Orleans, for that purpose.....	June 3, 1886.....	June 4, 1886.
10	An Act for the relief of heirs of parties whose property may have been confiscated by the United States, in conformity with Article 57 of the Constitution.....	June 7, 1886	June 8, 1886.
11	An Act to authorize the Secretary of State to forward to each clerk of each district court in the State, a copy of the Acts of each session of the General Assembly, bound in leather.....	June 7, 1886	June 8, 1886.
12	Concurrent Resolution instructing and requiring the Attorney General to institute suit for the forfeiture of the Charter of the Carondelet Canal and Navigation Company.....	June 8, 1886	June 9, 1886.

S.	TITLES.	DATE OF • APPROVAL.	DATE OF PROMULGATION.
13	An Act to authorize the Board of Trustees of the Southern University to sell their school property, situated on Calliope street, city of New Orleans, to the Board of Trustees of the McDonogh School Fund, of that city.....	June 11, 1886 ...	June 12, 1886.
14	Concurrent Resolution commemorative of General Frederick Nash Ogden..	June 17, 1886 ...	June 18, 1886.
15	An Act to authorize the Board of Liquidation to contract with any bank or banks or capitalists to pay the interest on the consolidated or constitutional bonds of the State and the warrants drawn against the general fund and expenses of the General Assembly.....	June 17, 1886 ...	June 18, 1886.
16	An Act authorizing the institution of suits for the recovery of certain claims before courts having jurisdiction of the property, when the owners are not domiciled in the parish where the property is situated.....	June 17, 1886 ...	June 18, 1886.
17	An act to provide for supplying the loss of public records, books and other papers consumed by the burning of the courthouse of the parish of Vermilion, on the morning of the seventh day of April, eighteen hundred and eighty-five.....	June 21, 1886....	June 22, 1886.
18	An Act requiring all stores, shops, groceries, saloons and all places of public business which are or may be conducted under any law of the State of Louisiana, or under any parochial or municipal law or ordinance, except those herein exempted, to be closed on Sundays, and forbidding all giving, trading, bartering and selling on Sundays, by the proprietors or employes of such establishments; declaring it a misdemeanor to violate the provisions of this act; and to fix penalties for all violations of the same; and to repeal all laws or parts of laws contrary to or inconsistent herewith.....	June 21, 1886....	June 23, 1886.
19	An Act to repeal section 12 of act No. 136, of the acts of 1880, approved April 10th, 1880, and to prohibit the exaction of advance costs from de-		

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	fendants in criminal prosecutions in this State.	June 23, 1886. ..	June 24, 1886.
20	An Act providing for appointment of Police Juries through the State of Louisiana by the Governor.....	June 23, 1886....	June 24, 1886.
21	An Act for the protection of actual settlers on State lands, defining the mode and manner by which such lands, possessed, improved or cultivated, may be entered or purchased from the State, and regulating the duties of the Register of the State Land Office in reference thereto.....	June 23, 1886....	June 24, 1886.
22	Concurrent Resolution instructing the Superintendent of the New Basin Canal and Shell Road to remove the roller-coaster or switch-back railroad constructed on the property of the State adjacent to the New Canal....	June 23, 1886....	June 25, 1886.
23	An Act to authorize the State Board of Health of the State of Louisiana to remove the Mississippi Quarantine Station to a point or points lower down on the Mississippi River; to continue in force regulations and provisions of law now governing the present station, and applying them to the new station when established; to provide for the sale of the lands and such buildings and appurtenances of the present station, as it may be unfit, unnecessary or impracticable to remove to the new station and devoting the proceeds (net) thereof to the cost of removal, and the erection of the new station, and other expenses necessary to the maintenance of the quarantine system; to authorize the procurement or purchase of the land necessary for the new station, with the approval of the Governor, and the erection of the station, buildings, etc.; and to provide for the expropriation of the land, if necessary; to devote all quarantine revenues to the maintenance of the quarantine system; to authorize the Board of Health, in its discretion, to diminish the quarantine charges; to authorize the Board of Health to make all		

No.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	needful additional rules and regulations for the government of the new station; to repeal all previous laws and portions thereof in conflict with the provisions of this act; and to continue in force all existing laws or portions thereof not inconsistent with this act; and to put this act in force from and after its passage.....	June 23, 1886....	June 25, 1886.
24	An Act to amend and re-enact Act No. sixty-eight of Acts of 1880, relative to preventing the destruction of fish by poisoning, using dynamite, trapping, hedging or gill-netting, and providing a penalty for the same....	June 23, 1886....	June 26, 1886.
25	An Act to repeal Act No. 68, entitled "An Act to authorize the Governor to employ a keeper of records and to fix his salary,"	June 23, 1886....	June 26, 1886.
26	An Act to prescribe tax mortgages and privileges, and to regulate the duties of recorders in the cancellation of the same.....	June 23, 1886....	June 26, 1886.
27	An Act making appeals from Madison parish, Louisiana, appealable to the Supreme Court, returnable to said court, at the town of Monroe, Louisiana.....	June 23, 1886 ...	June 26, 1886.
28	Joint Resolution proposing to submit to the electors of this State, as an amendment to Article one hundred and seventeen of the Constitution of 1879, in relation to the terms of the District Courts (the parish of Orleans excepted)	June 23, 1886....	June 26, 1886.
29	An Act declaring the competency of witnesses in criminal proceedings....	June 23, 1886....	June 27, 1886.
30	Concurrent Resolution relative to the graves of Union soldiers, at Camp Moore, in the parish of Tangipahoa, Louisiana, and requesting our Senators and Representatives in Congress to use all lawful means to secure an appropriation for the purposes herein mentioned.....	June 23, 1886....	June 27, 1886.
31	An Act relative to disturbances of the peace in public streets, on highways, in or near private houses, defying said offense and providing for the punishment of the same by fine or imprisonment, or both.....	June 24, 1886....	June 27, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
32	An Act to amend and re-enact Section 4, Act No. 7 of the Acts of 1877, approved March 21, 1877	June 24, 1886....	June 27, 1886.
33	Concurrent Resolution to amend and re-enact a Concurrent Resolution entitled "A Concurrent Resolution instructing and requiring the Attorney General to institute suit for the forfeiture of the Charter of the Carondelet Canal and Navigation Company," being Concurrent Resolution No. 12, of the Acts of the General Assembly of the year 1886; approved June 8, 1886	June 24, 1886 ...	June 29, 1886.
34	An Act removing the parish seat of the parish of Grant from the town of Colfax to a two-acre square lot in the northwest corner of the southwest quarter of the northeast quarter of section twenty-four, township No. 7, N. range two west, N. R. R. district; and providing for the submission of this Act to the electors thereof at a special election, pursuant to the provisions of Article 250 of the State Constitution	June 26, 1886 ...	June 29, 1886.
35	An Act to prescribe the manner in which special elections shall be held in the parishes, cities and incorporated towns of this State, for the purpose of levying special taxes in aid of railway enterprises, and providing for their enforcement and collection; and to carry into effect Article 242 of the Constitution of 1879 ..	June 28, 1886 ...	June 30, 1886.
36	An Act to authorize and require the Register of the State Land Office to transfer to the office of Auditor of Public Accounts all lists of lands acquired by the State under the provisions of Act 98 of the Acts of 1882	June 29, 1886 ...	July 1, 1886.
37	An Act in relation to sureties upon official bonds of State, parochial or municipal officers, and making provisions in case of death or withdrawal	June 29, 1886....	July 1, 1886.
38	Concurrent Resolution relative to the erection of a monument to the memory of ex-President Zachary Taylor, to be located in the city of New Or-		

BOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	leans, and requesting the aid of the National Congress.....	June 29, 1886	July 1, 1886.
39	An Act to create the parish of Acadia, and to provide for the organization thereof.....	June 30, 1886	July 2, 1886.
40	An Act to amend and re-enact Section 2503 of the Revised Statutes of Louisiana, relative to the appointment of notaries public.....	June 30, 1886	July 3, 1886.
41	An Act making an appropriation to pay the expenses of the impeachment trial of Theodore Fontelieu, and providing for the manner in which said expenses shall be paid....	June 30, 1886	July 3, 1886.
42	Concurrent Resolution authorizing the Register of the State Land Office to Revise the records of his office.....	July 1, 1886	July 3, 1886.
43	An Act to regulate the employment of children, young persons and women in certain cases	July 1, 1886	July 4, 1886.
44	An Act to repeal that portion of Act 33, of the Acts of 1879, creating the Fifth Levee District, and to create a new district to be known and styled "The Fifth Louisiana Levee District;" to define the limits of said district and specify the property subject to taxation, local assessment and contribution; to provide for appointment of commissioners, the qualifications, mode of removal and filling vacancies, and salaries of commissioners and officers; to constitute said commissioners as a levee board, styled "The Board of Commissioners for the Fifth Louisiana Levee District;" to make said board a body politic, invested with corporate powers and having a corporate seal; to fix the mode, time and place of meetings; to designate a quorum for the transaction of business; to provide for the organization and government of said board; to define its duties, powers and prohibitions; to regulate legal proceedings by and against said board, and to fix its domicile; to require a record of its proceedings to be kept and published; to provide a mode of certifying to the copies of said records, and to establish their		

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	<p>admissibility and weight as evidence; to require said board to prescribe rules and regulations for the construction and maintenance of levees, and to establish a comprehensive levee system extending from the mouth of Red river, along the Mississippi river up to the Arkansas line at Ashton, and thence west along the northern boundary of said levee district to Bayou Macon hills, for the purpose of permanently securing the entire district from destructive floods; to prescribe the duties of the State Engineers in relation to said board; to provide a revenue for levee purposes; to levee a five mills district tax, pursuant to Article 214 of the Constitution, and prescribe the duties of assessors, tax collectors, Auditor and State Treasurer in reference thereto; to authorize the board, under certain circumstances, to levy a special assessment or contribution on lands to be protected by said levees, and providing for its collection; also to levy a special assessment or contribution on cotton produced on such lands in the district and regulate its collection; to prevent the evasion of the tax and fix a penalty therefor; to grant certain lands for levee purposes, and prescribe the duty of the Auditor in relation thereto; to exempt said lands from taxation until sold by the board; to authorize the board to mortgage and sell said lands and apply the proceeds for levee purposes; to authorize the board to issue and negotiate its bonds; to provide the mode of issuing, securing and paying same; for enforcing payment in case of default; to authorize the board to buy, to sell, to make contracts for building, repairing and maintaining levees, and to pay for same in bonds or otherwise; to fix proportion of general engineer fund to be allotted to said district, and prescribe duty of board of engineers in reference there-</p>		

Nos.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	to; to provide for the care and police of levees, and authorize board to appoint inspectors and watchmen, and in certain cases to call out road hands to work on levees; to provide compensation therefor; to provide penalty for neglect of hands to serve; to provide the mode of depositing, keeping and disbursing all funds of the board; to specify by whom and in what manner warrants shall be drawn against said funds; to define misappropriation of funds and property of board by president, commissioner or officer, and provide a penalty therefor; to put this act in force, repeal all laws in conflict therewith, and for other purposes.....	July 2, 1886.	July 10, 1886.
45	An Act to re-enact sections 1015, 2063, and 3951 of the Revised Statutes of the State; to provide for the appointment of a property clerk for the parish of Orleans, his compensation and payment of the same.....	July 2, 1886.....	July 10, 1886.
46	An Act to amend and re-enact Article 398 of the Code of Practice of Louisiana.....	July 2, 1886.	July 10, 1886.
47	An Act making appropriations to defray the ordinary expenses of the Government, to pay the interest on the public debt, and to support public schools and public charities in the State of Louisiana, and to build and repair public levees, for the year commencing July 1, 1886, and ending June 30, 1887; and for the year commencing July 1, 1887, and ending June 30, 1888.....	July 2, 1886.	July 10, 1886.
48	An Act for the protection of the alluvial lands of the State, authorizing and instructing the State Board of Engineers to survey, stake out, and make estimate of the cost of certain levees; authorizing the State Board to solicit and accept aid from districts, parishes, municipalities or individuals interested in the construction of said levees; authorizing and instructing the Board of Engineers to contract for the building of said levees, under certain circumstances;	July 3, 1886.....	July 10, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	providing for payment for the same and prescribing the fund to be used in such payment, and providing, under certain circumstances, that the lessees of the penitentiary be required to perform the work; and providing that the Engineers shall issue certificates upon the completion and acceptance of the work, and authorizing the receipt of these certificates by the Auditor and Treasurer in payment of certain dues.....	July 3, 1886.....	July 14, 1886.
49	An Act to amend and re-enact an act entitled "An Act making it a misdemeanor to sell or offer for sale, to ship or place upon the market for sale, any sugar or molasses adulterated with glucose or any foreign substance, without branding or stamping it as such," approved June 26, 1882, and to prescribe penalties for a violation of the provisions of this act.....	July 3, 1886.....	July 14, 1886.
50	An Act to amend and re-enact Article three hundred and seventy-five of the Code of Practice of Louisiana.....	July 3, 1886.....	July 14, 1886.
51	An Act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers and the guarantees and conditions upon which they are to be sold, and by fixing the penalties incurred by violations of such conditions; by providing for practical and other experiments in relation thereto; by reorganizing the board of agriculture, increasing its powers and those of the commissioner of agriculture; by creating an official chemist, defining his duties and powers, and by repealing laws in conflict herewith, etc....	July 3, 1886.....	July 15, 1886.
52	An Act making an appropriation to pay amount due to F. F. Perrodin, district attorney 13th judicial district, for additional compensation to certain district attorneys in the country parishes, in accordance with Act No. 58 of 1867.....	July 3, 1886.	July 15, 1886.
53	An Act to prohibit the selling or giving away of intoxicating liquors within two miles of the Mount Leba		

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	non college, situated in the town of Mount Lebanon, State of Louisiana, and to prescribe penalties for violation of this act.....	July 3, 1886.	July 15, 1886.
54	An Act to amend an act entitled "An Act to amend the third section of an act to establish the office of Inspector of Hay for the city and port of New Orleans, and to regulate the duties pertaining to same," approved March 28, 1867, approved September 18, 1868	July 3, 1886.	July 15, 1886.
55	An Act making it a crime for any person to practice or to offer to practice medicine or surgery in this State for pay, without having first complied with the provisions of act No. 31, of the acts of 1882, approved June the 26th, 1882, relative to the practice of medicine and surgery, and prescribing the punishment thereof..	July 3, 1886.	July 15, 1886.
56	An Act authorizing the Register of the State Land Office to advertise in newspapers in this State, notifying all persons holding claims against the public domain of the State of Louisiana, or orders to re-refund, to file said claims, with the evidence, in the office of the Register of Lands, on or before the 1st day of April, 1887; to authorize the Register to file and receipt for the same, and to report the same to the General Assembly at its next regular session; to recommend the appropriate relief therefor. To prohibit the Register from settling any such claims, until the General Assembly shall have passed thereon, and to appropriate a sum necessary to defray the expenses of this procedure.....	July 3, 1886.	July 15, 1886.
57	An Act to provide for the restoration of Public Records and other papers destroyed by fire or in any other way	July 3, 1886.	July 15, 1886.
58	An Act to re-establish the drainage of Bayou Fontaine, in the parish of East Baton Rouge, and make an appropriation therefor	July 3, 1886.	July 15, 1886.
59	An Act to incorporate the Board of Commissioners of the Tensas Basin Levee District; to define their pow-	July 3, 1886.	July 15, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	ers; to prescribe their duties; to authorize them to levy taxes and assessments; to issue bonds and to provide for their payment, principal and interest by taxation, and the proceeds of the sale of State lands, and to repeal Act No. 26, of the Session Acts of 1884, creating the Tensas Basin Levee District as now organized, and all acts amendatory thereto, and all laws inconsistent with this act.....	July 3, 1886.	July 16, 1886.
60	An Act to amend and re-enact Act No. 83, of the year of 1884, entitled "An Act to amend and re-enact Act No. 73 of the year 1882, entitled 'An Act relative to the distribution of the funds derived from the taxes levied on all property subject to taxation, for the maintenance and repair of levees.'"	July 3, 1886.	July 16, 1886.
61	An Act to amend and re-enact Act 51 of the year 1884, entitled "An Act to establish a State Normal School and to provide for its administration and support..	July 5, 1886.	July 16, 1886.
62	Concurrent Resolution relative to the appointment of commissioners for the purpose of erecting a monument to ex-President Zachary Taylor.....	July 5, 1886.	July 16, 1886.
63	Concurrent Resolution requesting the Senators and Representatives of Louisiana, in Congress, to urge upon the Federal Bureau of Agriculture, the necessity of an investigation of the causes of and the remedies for a disease affecting our domestic animals known as "charbon" ..	July 5, 1886.	July 16, 1886.
64	Concurrent Resolution relative to the improvement of the navigation of Calcasieu River	July 5, 1886.	July 16, 1886.
65	Concurrent Resolution relative to the improvement of our National defenses	July 5, 1886.	July 16, 1886.
66	An Act to authorize and empower the Auditor and the tax collectors of the parish of Orleans, and ex-officio tax collectors throughout the State, to pay the balances due for costs and expenses incurred in adjudicating property to the State for taxes, for the years 1881, 1882 and 1883, since June 1, 1884.....	July 6, 1886.	July 16, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
67	An Act to appropriate the sum of fourteen thousand dollars to the Southern University of New Orleans, for the purpose of aiding them in erecting a college building for the education of persons of color.....	July 7, 1886.	July 16, 1886.
68	An Act fixing the salary of the President of the State Board of Health..	July 7, 1886,	July 16, 1886.
69	An Act to suppress gambling with dice or cards, on the public highways of streets of the towns and cities, within the State of Louisiana, or within view of such public highways and streets; and to provide for the punishment thereof	July 7, 1886.	July 16, 1886.
70	An Act making it sufficient for plaintiffs and owners to recover in suits against railroad companies for loss of stock killed or injured by railroads, to prove the injury or killing, unless it be shown by the defendant company that the killing or injury was not the result of fault or carelessness on their part, or the negligent or indifferent running or management of their locomotives or trains.....	July 7, 1886.	July 16, 1886.
71	An Act to provide for supplying the loss by fire of the records of the Supreme Court, at Opelousas.....	July 7, 1886.	July 16, 1886.
72	An Act providing for commutation of sentences for good behavior of convicts in the penitentiary and in the parish prisons of this State	July 7, 1886.	July 16, 1886.
73	An Act creating an additional justice of the peace and constable for the fourth ward, parish of Plaquemines.	July 7, 1886.	July 16, 1886.
74	An Act authorizing the district judges throughout the State to appoint attorneys to represent the State in civil and criminal matters, when the district attorney from any cause cannot or will not act.	July 7, 1886.	July 16, 1886.
75	Joint Resolution proposing to submit to the electors of this State an amendment to Article one hundred and eighty (180) of the Constitution of 1879, relative to the New Basin Canal and Shell Road	July 7, 1886.	July 16, 1886.
76	An Act in relation to insurance companies, corporations, associations, partnerships and individuals of for-		

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	eign governments doing fire, river, inland navigation or marine insurance business, in this State, limiting publication or rendering of state-ments, determining capital subject to taxation, collection of same, pen-alties and requirements.	July 8, 1886.	July 16, 1886.
77	An Act to amend and re-enact section 918 of the Revised Statutes of 1870, relative to placing obstructions upon or in any way interfering with rail-ways, and to increase the penalty therefor.	July 8, 1886.	July 17, 1886.
78	An Act to prescribe the manner in which the public levees are to be built in places where the line of levee crosses a bayou or slough, and to require the State Board of En-gineers to observe the same in giv-ing out contracts.	July 8, 1886.	July 17, 1886.
79	An Act authorizing the tax due by the Vicksburg, Shreveport and Pacific Railroad Company to the State for the years 1880, 1881, 1882 and 1883, to be placed to the credit of the Ten-sas Basin levee district and fifth levee district for levee purposes, and au-thorizing the parishes of Ouachita, Richland and Madison to appropriate money to said district for the same purpose.	July 8, 1886.	July 17, 1886.
80	An Act to amend and re-enact Act 105 (session of 1884) entitled "An Act to amend and re-enact Act 94, session 1880, an act entitled 'An Act to reg-ulate the number of employes of the register of conveyances for the par-ish of Orleans, and to fix their sala-ries,' "	July 8, 1886.	July 17, 1886.
81	An Act to prohibit the sale in this State of oleomargarine, butterine, or other substitutes, as butter, and to provide a penalty for the violation of the same.	July 8, 1886.	July 17, 1886.
82	An Act regulating insurance compa-nies conducting business in this State, either domiciliated or by agent, as to the rebate allowed by same, and fix-ing the penalties for violation of the provisions of this act.	July 8, 1886.	July 17, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
83	An Act to amend and re-enact section 910 of the Revised Statutes of 1870.	July 8, 1886.	July 17, 1886.
84	An Act retaining Walter B. Somerville and Omer Villere, counsel for the State of Louisiana, in the matter of the succession of Kate Townsend; fixing their fee, and authorizing the public administrator for the parish of Orleans to pay said fee.....	July 8, 1886.	July 17, 1886.
85	An Act to make it a crime for any physician or practitioner of medicine to prescribe spirituous or intoxicating liquors with intent to evade, or with intent to assist others to evade, the payment of any license required by any State law, or parochial or municipal ordinance, for the sale of said spirituous or intoxicating liquors, or with intent to evade, or with intent to assist others to evade, any such law or ordinance prohibiting the sale of said spirituous and intoxicating liquors, and to prescribe the punishment therefor.....	July 8, 1886.	July 17, 1886.
86	An Act to amend and re-enact sections six and seven of Act No. 127, of the acts of 1880, entitled "An Act to provide for the appointment of a superintendent and other officers and employees of the New Basin Canal and Shell Road, prescribing his duties, fixing his salary and limiting the expenses of said Basin Canal and Shell Road.....	July 8, 1886.	July 17, 1886.
87	An Act to provide for the better and more speedy collection of the poll tax.....	July 8, 1886.	July 17, 1886.
88	Joint Resolution to amend Article sixty-two of the Constitution, providing for a lapse in the office of Lieutenant-Governor.....	July 8, 1886.	July 17, 1886.
89	An Act to establish the rank and order of preference of privileges and pledges on crops.....	July 8, 1886.	July 17, 1886.
90	An Act for the protection of buyers from the fraudulent practices of nurserymen.....	July 8, 1886.	July 17, 1886.
91	An Act to increase the number of justices of the peace in the second ward of Calcasieu parish.....	July 8, 1886.	July 17, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
92	Joint Resolution proposing to submit to the electors of the State an amendment to Article 207 of the Constitution of 1879, relative to exemption from taxation.....	July 8, 1886.	July 17, 1886.
93	An Act creating an additional justice of the peace and constable for the first ward of Caddo parish.....	July 8, 1886.	July 17, 1886.
94	Concurrent Resolution authorizing the board of liquidation to designate a bank, or banks, where the public moneys shall be deposited, in the event of vacancy in the office of Fiscal Agent.....	July 8, 1886.	July 17, 1886.
95	An Act to regulate the hours of labor on and connected with the street railroads chartered under the laws of this State, and providing penalties for the violation thereof.....	July 8, 1886.	July 17, 1886.
96	Joint Resolution authorizing the Auditor to fix the amount of capital due the several townships from the sales of sixteenth section school lands, made since January 1st, 1880, and to warrant for interest due thereon...	July 8, 1886.	July 17, 1886.
97	Concurrent Resolution accepting the donation of the United States Barracks and grounds at Baton Rouge, for the use of the Louisiana State University and Agricultural and Mechanical College.....	July 8, 1886.	July 21, 1886.
98	An Act to provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the Constitution from taxation, and by prescribing the methods of assessing and collecting the same and enforcing payment thereof.....	July 8, 1886.	July 21, 1886.
99	An Act to amend and re-enact section one of Act No. 89 of 1884, entitled "An Act to provide for the registration of the bonds of the city of New Orleans, the manner of registry and transfer thereof, to provide for the payment of the interests thereon to the registered holder, and to fix the compensation of the secretary of the board of liquidation, for such registering and transfer of bonds"	July 8, 1886.	July 21, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
100	An Act to re-establish the beneficiary system at the Louisiana State University and Agricultural and Mechanical College, by granting to the police juries of the several parishes of the State and to the city of New Orleans. the power and authority to maintain beneficiary cadets at said institution.	July 8, 1886.	July 21, 1886.
101	An Act to levy, collect and enforce payment of an annual license tax upon all persons, association of persons, or business firms and corporations, pursuing any trade, profession, vocation, calling or business, except those who are expressly excepted from such license tax by Articles 206 and 207 of the Constitution	July 8, 1886.	July 22, 1886.
102	An Act to amend and re-enact Sections 2 and 4 of Act No. 40 of 1876.	July 8, 1886.	July 22, 1886.
103	An Act to create a special levee district within certain limits prescribed in this act; to empower said corporation to levy contributions and to issue bonds, and to provide for the payment thereof, and under certain contingencies to require under penalty the performance of labor by certain persons on said levee; to enforce the collection of said contributions, and for other purposes.	July 8, 1886.	July 22, 1886.
104	An Act removing the parish seat of the parish of Avoyelles from Marksville to a point on the right descending bank of Bayou Rouge or Bayou des Glaises, within a distance of not more than one mile above or below the junction of said Bayou Rouge and Bayou des Glaises, at a spot to be designated by the police jury, and providing for the submission of this act to the electors thereof, at a special election, pursuant to the provisions of Article 250 of the State Constitution	July 8, 1886.	July 22, 1886.
105	An Act for the better protection of buildings and property belonging to the State, situated in Baton Rouge. .	July 8, 1886.	July 22, 1886.
106	An Act to encourage, protect, regulate and develop the oyster industry in the State of Louisiana, and im-		

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
107	posing penalties for the violation of the provisions of this act..... An Act to provide for contests and the trial thereof by the Register of the State Land Office, of past and future entries of lands under any laws requiring act of settlement and cultivation, granting successful contestants the exclusive right to enter the same for a limited time, and to regulate the practice of the State Land Office in the trial thereof.....	July 8, 1886.	July 22, 1886.
108	An Act to amend and re-enact act No. 131 of the General Assembly of 1880, in regard to employes and the salaries of the clerks of the City Courts of New Orleans.....	July 8, 1886.	July 23, 1886.
109	An Act to amend an act entitled "An Act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof, and to repeal all acts inconsistent and in conflict with its provisions," approved June 23, 1882, and to provide for limit of appropriations in the city of New Orleans, and to repeal an act approved May 10, 1884, entitled, etc.....	July 8, 1886.	July 23, 1886.
110	An Act to require railroad companies operating and controlling lines of railroads in this State to pay a fair value for all animals killed or injured by their trains, and, providing for arbitration in the settlement of same.....	July 8, 1886.	July 23, 1886.
111	An Act to encourage sheep husbandry, to protect sheep from the ravages of dogs, to make it a misdemeanor to knowingly own or keep a sheep-killing dog, and to provide a penalty for the same; and to invest police juries with power to pass certain ordinances, to declare the violation of such ordinances a misdemeanor, and to provide the punishment thereof.....	July 8, 1886.	July 23, 1886.
112	An Act to amend an act entitled "An Act to invest police juries with the management and control of the completed public levees; to require them to make laws and provide means	July 8, 1886.	July 23, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	for the protection, preservation and repair of the public levees; to provide for dividing parishes into levee wards or districts, and for the appointment of levee overseers therefor; to prescribe the duties of levee overseers; to prohibit the cutting of public levees for any purpose except for their repair or reconstruction or for placing therein rice flumes and pipes or conduits for supply of water in the manufacture of sugar; to prescribe punishment and penalties for violation of this act; and to repeal Act No. 88, approved April 10, 1880, and Act No. 104, approved July 5, 1882, and all acts in conflict with the provisions of this act.....		
113	An Act to amend an act entitled "An Act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof; and to repeal all acts inconsistent and in conflict with its provisions," approved June 23, 1882, and to provide for paving and banquetting streets in the city of New Orleans.....	July 8, 1886.	July 23, 1886.
114	An Act to authorize the council to establish a uniform grade of banquettes in the city of New Orleans, and amending section 8 of Act No. 20 of 1882, to conform thereto; providing for the payment of the work, by making the bills therefor a first lien and mortgage on the property fronting the improvement, and providing what shall constitute a legal notice under this act.....	July 8, 1886.	July 23, 1886.
115	An Act directing the transfer of unexpended balances, appropriated by Act 46, acts of 1884; and providing for their distribution.....	July 8, 1886.	July 23, 1886.
116	An Act to grant relief to the wounded and disabled Confederate soldiers of the State of Louisiana, and to the widows of Confederate soldiers wounded and disabled or killed during the late civil war, who are now in indigent circumstances.....	July 8, 1886.	July 23, 1886.

NOS.	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
117	An Act to amend and re-enact section fourteen hundred and seventy-nine (1479) of the Revised Statutes of the State of Louisiana, by inserting in the first line thereof the words, "the State, or any political corporation of the same created for the purposes of exercising any portion of the governmental powers of the State, or," and to make the general laws of forms and process of expropriation applicable to the section thus amended.....	July 8, 1886.....	July 23, 1886.
118	An Act authorizing and empowering the Board of Commissioners of the Fifth Louisiana Levee District, by and with the consent of the proper authorities in the State of Arkansas, to construct, maintain or repair such levee or levees in said State of Arkansas, as said board in their discretion may determine upon as being for the better protection from overflow of the lands in said district....	July 8, 1886.....	July 23, 1886.
119	An Act to amend an act entitled "An Act to incorporate the city of New Orleans, provide for the government and administration of the affairs thereof; and to repeal all acts inconsistent and in conflict with its provisions," approved June 23, 1882, and to provide for paving and banquetting streets in the city of New Orleans; public notice having been given, in accordance with the requirements of article 48 of the Constitution.....	July 8, 1886.....	July 23, 1886.
120	An Act for the better protection of the State of Louisiana in prohibiting the introduction or use of infectious or contagious substances, matters or things claimed to be infectious or contagious (vaccine virus excepted), capable or claimed to be capable of transmission by inoculation, except under a special permit from the Board of Health of the State of Louisiana, and to provide for the arrest and removal to the lower quarantine station of any person or persons who have introduced such infectious or		

NOS	TITLES.	DATE OF APPROVAL.	DATE OF PROMULGATION.
	contagious matter into the State of Louisiana, and their detention at the lower quarantine station at the discretion of the Board of Health of the State of Louisiana, and for the seizure and destruction of such infectious or contagious matter, substances or things.....	July 8, 1886.	July 23, 1886.
121	An Act to amend and re-enact Article 2278 of the Revised Civil Code of Louisiana.....	July 8, 1886.	July 23, 1886.
122	An Act to fix the terms of court for the Circuit Courts of Appeal.....	July 8, 1886.	July 23, 1886.
123	Concurrent Resolution relative to the removal of the roller coaster at West End, New Orleans.....	July 8, 1886.	July 23, 1886.
124	Resolution continuing in existence the committee on constitutional amendments	July 8, 1886.	July 23, 1886.

OFFICE OF THE SECRETARY OF STATE, }
BATON ROUGE, LA., July 23, 1886. }

I, the undersigned, Secretary of State of the State of Louisiana, do hereby certify that the foregoing is a true and correct copy of the titles (clauses, Joint and Concurrent Resolutions, passed by the General Assembly of this State, at its regular session of 1886, approved by his Excellency, the Governor of this State, and deposited in this office, showing the date of their approval and of their promulgation.

Given under my signature and the seal of the State of Louisiana, at the city of Baton Rouge, the day and date above written.

OSCAR ARROYO,
Secretary of State.

ALPHABETICAL INDEX.

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